

BILL ANALYSIS

Senate Research Center
77R1729 CLG-D

S.B. 376
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Health & Human Services
2/13/2001
As Filed

DIGEST AND PURPOSE

Currently, the application and eligibility process for children's Medicaid allows agencies operating part of the medical assistance program to consider the assets and resources of a person or the person's parent or caretaker when determining the person's eligibility for medical assistance. As proposed, S.B. 376 eliminates the assets test in order to streamline the application and eligibility process for children's medical assistance.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 32B, Human Resources Code, by adding Section 32.02415, as follows:

Sec. 32.02415. EXCLUSION OF ASSETS AND RESOURCES. Prohibits the Health and Human Services Commission or an agency operating part of the medical assistance program from considering the assets and resources of a person younger than 19 years of age, or the assets and resources of the person's parent or other caretaker in determining the person's eligibility for medical assistance, to the extent allowed by federal law.

SECTION 2. Requires a state agency to request a waiver or authorization (waiver) from a federal agency if the state agency deems the waiver necessary for implementation of any provision of this Act. Authorizes a delay in implementing that provision until the waiver is granted.

SECTION 3. Effective date: September 1, 2001.