

BILL ANALYSIS

Senate Research Center
78R2133 KEG-D

H.B. 728
By: Delisi (Duncan)
Health & Human Services
5/10/2003
Engrossed

DIGEST AND PURPOSE

The 77th Texas Legislature authorized the extension of continuous Medicaid eligibility from six months to 12 months. The resulting cost to the state would be \$702.9 million in state and federal funds for the 2004-2005 biennium. H.B. 728 amends the law to retain the six-month eligibility and postpone the implementation of the 12-month Medicaid eligibility period until fiscal year 2006.

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 Section 10(c), Chapter 584, Acts of the 77th Legislature, Regular Session, 2001, to require the Health and Human Services Commission or the appropriate state agency operating part of the medical assistance program under Chapter 32, Human Resources Code, to adopt rules required by Section 32.0261, Human Resources Code, as added by this Act, so that the rules take effect in accordance with that section not earlier than September 1, 2005, rather than 2002. Deletes a provision requiring the rules to take effect not later than June 1, 2003.

SECTION 2. Provides that if before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision is required to request the waiver or authorization and is authorized to delay implementing that provision until the waiver or authorization is granted.

SECTION 3. Effective date: upon passage or September 1, 2003.