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AN ACT

relating to the continuous eligibility of certain children for medical assistance benefits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 10(c), Chapter 584, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(c) The Health and Human Services Commission or the appropriate state agency operating part of the medical assistance program under Chapter 32, Human Resources Code, shall 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 [~~2002, or later than June 1, 2003~~]. The rules must provide for a 12-month period of continuous eligibility in accordance with that section for a child whose initial or continued eligibility is determined on or after the effective date of the rules.

SECTION 2. 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 shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.

David Newkum

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 728 was passed by the House on April 10, 2003, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 728 was passed by the Senate on May 26, 2003, by the following vote: Yeas 31, Nays 0.

Datsy Saw

Secretary of the Senate

APPROVED:

30 MAY '03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:30pm O'CLOCK

MAY 30 2003
Ann Shea
Secretary of State