

By: Miles, et al.
(Klick)

S.B. No. 73

A BILL TO BE ENTITLED

AN ACT

relating to providing access to local public health entities and certain health service regional offices under Medicaid.

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

SECTION 1. Section 32.003, Human Resources Code, is amended by adding Subdivisions (2), (3), (3-a), (3-b), and (5) to read as follows:

(2) "Health service regional office" means an office located in a public health region and administered by a regional director under Section 121.007, Health and Safety Code.

(3) "Local health department" means a local health department established under Subchapter D, Chapter 121, Health and Safety Code.

(3-a) "Local health unit" means a local health unit described by Section 121.004, Health and Safety Code.

(3-b) "Local public health entity" means:

(A) a local health unit;

(B) a local health department; and

(C) a public health district.

(5) "Public health district" means a public health district established under Subchapter E, Chapter 121, Health and Safety Code.

SECTION 2. Section 32.024, Human Resources Code, is amended by adding Subsection (11) to read as follows:

1 (11) The executive commissioner shall establish a separate
2 provider type for a local public health entity, including a health
3 service regional office acting in the capacity of a local public
4 health entity, for purposes of enrollment as a provider for and
5 reimbursement under the medical assistance program.

6 SECTION 3. Section 32.101(2), Human Resources Code, is
7 amended to read as follows:

8 (2) "Health care provider" means a person, other than
9 a physician, who:

10 (A) is licensed or otherwise authorized to
11 provide a health care service in this state, including:

12 (i) a pharmacist, dentist, optometrist,
13 mental health counselor, social worker, advanced practice nurse,
14 physician assistant, or durable medical equipment supplier; ~~or~~

15 (ii) a pharmacy, hospital, or other
16 institution or organization; or

17 (iii) a local public health entity or a
18 health service regional office acting in the capacity of a local
19 public health entity in a public health region;

20 (B) is wholly owned or controlled by:

21 (i) a health care provider or a group of
22 health care providers described by Paragraph (A); or

23 (ii) one or more hospitals and physicians,
24 including a physician-hospital organization;

25 (C) is a professional association of physicians
26 organized under the Texas Professional Association Law, as
27 described by Section 1.008, Business Organizations Code;

1 (D) is an approved nonprofit health corporation
2 certified under Chapter 162, Occupations Code;

3 (E) is a medical and dental unit, as defined by
4 Section 61.003, Education Code, a medical school, as defined by
5 Section 61.501, Education Code, or a health science center
6 described by Subchapter K, Chapter 74, Education Code, that employs
7 or contracts with physicians to teach or provide medical services,
8 or employs physicians and contracts with physicians in a practice
9 plan; or

10 (F) is another person wholly owned by physicians.

11 SECTION 4. The Health and Human Services Commission and the
12 Department of State Health Services are required to implement a
13 provision of this Act only if the legislature appropriates money
14 specifically for that purpose. If the legislature does not
15 appropriate money specifically for that purpose, the commission and
16 the department may, but are not required to, implement a provision
17 of this Act using other appropriations that are available for that
18 purpose.

19 SECTION 5. If before implementing any provision of this Act
20 a state agency determines that a waiver or authorization from a
21 federal agency is necessary for implementation of that provision,
22 the agency affected by the provision shall request the waiver or
23 authorization and may delay implementing that provision until the
24 waiver or authorization is granted.

25 SECTION 6. This Act takes effect September 1, 2022.