

By: Price

H.B. No. 3285

A BILL TO BE ENTITLED

AN ACT

1
2 relating to Medicaid coverage and reimbursement for the provision
3 of certain digital therapeutics.

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

5 SECTION 1. Section 32.024, Human Resources Code, is amended
6 by adding Subsection (hh) to read as follows:

7 (hh) The commission shall provide medical assistance
8 reimbursement to a provider who participates in the vendor drug
9 program or is enrolled as a network pharmacy provider in the
10 provider network of a managed care organization that contracts with
11 the commission under Chapter 533, Government Code, for a
12 prescription digital therapeutic, as defined by commission rule,
13 that is approved for use by the United States Food and Drug
14 Administration. For purposes of this subsection, a digital
15 therapeutic is not considered durable medical equipment.

16 SECTION 2. If before implementing any provision of this Act
17 a state agency determines that a waiver or authorization from a
18 federal agency is necessary for implementation of that provision,
19 the agency affected by the provision shall request the waiver or
20 authorization and may delay implementing that provision until the
21 waiver or authorization is granted.

22 SECTION 3. This Act takes effect September 1, 2023.