

By: Rose

H.B. No. 4951

A BILL TO BE ENTITLED

AN ACT

1
2 Relating to the Medicare Primacy Coordination Audit and Assistance
3 Program to assist eligible individuals in obtaining certain
4 Medicare benefits.

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

6 SECTION 1. Subtitle I, Title 4, Government Code, is amended
7 by adding Chapter 542 to read as follows:

8 CHAPTER 542. MEDICARE PRIMACY COORDINATION

9 AUDIT AND ASSISTANCE PROGRAM

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 542.0001. DEFINITIONS. In this chapter:

12 (1) "Eligible individual" means an individual who is
13 eligible to participate in the program.

14 (2) "Program" means the Medicare Primacy Coordination
15 Audit and Assistance Program established under this chapter.

16 SUBCHAPTER B. PROGRAM ADMINISTRATION

17 Sec. 542.0101. PROGRAM OBJECTIVE. The program's principal
18 objective is to coordinate and integrate health plan benefits for
19 individuals who are eligible for both Medicare and Medicaid.

20 Sec. 542.0102. PROGRAM PROMOTION. The commission shall
21 promote and provide information about the program to individuals
22 who:

23 (1) are potentially eligible to participate in the
24 program; and

1 (2) live in medically underserved areas of this state.

2 Sec. 542.0103. COMMISSION'S DUTIES RELATED TO THE PROGRAM.

3 The commission shall:

4 (1) conduct an ongoing claims analysis of adults
5 receiving Medicaid for the purpose of identifying high-cost
6 participants who may be eligible for Social Security Disability
7 Insurance or Medicare benefits;

8 (2) monitor the program or program administrator
9 through reporting requirements and other means to ensure contract
10 performance and quality delivery of services;

11 (3) monitor the quality of services delivered to
12 participants through outcome measurements; and

13 (4) assist any adult whose claims history and Social
14 Security eligibility qualify to apply for and be awarded Social
15 Security Disability and subsequently Medicare. The assistance
16 shall include the following:

17 (A) developing communication materials to
18 educate Medicaid recipients about Social Security Disability
19 Insurance benefits;

20 (B) performing outreach to populations targeted
21 by claims analysis;

22 (C) analyzing responses to determine Social
23 Security Disability Insurance benefit or Medicare eligibility; and

24 (D) representing qualified individuals with
25 their claim or claims to qualify for Social Security Disability
26 Insurance benefits and Medicare enrollment.

27 Sec. 542.0105. THIRD-PARTY ADMINISTRATOR CONTRACT FOR

1 PROGRAM IMPLEMENTATION. (a) In administering the program, the
2 commission may contract with a qualified and experienced
3 third-party administrator to provide enrollment and related
4 services.

5 (b) If the commission contracts with a third-party
6 administrator under this section, the commission shall:

7 (1) monitor the third-party administrator through
8 reporting requirements and other means to ensure contract
9 performance and quality delivery of services; and

10 (2) provide payment under the contract to the
11 third-party administrator.

12 (c) The executive commissioner shall retain all
13 policymaking authority over the program.

14 (d) The commission shall procure each contract with a
15 third-party administrator, as applicable, through a competitive
16 procurement process that complies with all federal and state laws.

17 (e) The administrator shall provide the commission and the
18 legislature with an annual report showing the number of Medicaid
19 recipients who have transitioned to Social Security Disability
20 Insurance and Medicare and the amount of savings realized by the
21 State of Texas.

22 SUBCHAPTER C. ELIGIBILITY FOR PROGRAM

23 Sec. 542.0151. ELIGIBILITY REQUIREMENTS. (a) An
24 individual is eligible to enroll in the program if the individual
25 is:

26 (1) enrolled or currently receiving Medicaid
27 benefits; and

1 (2) meets the eligibility criteria for Social Security
2 Disability Insurance or Medicare benefits.

3 Sec. 542.0153. APPLICATION FORM AND PROCEDURES. (a) The
4 executive commissioner shall adopt an application form and
5 application procedures for the program. The form and procedures
6 must be coordinated with forms and procedures under Medicare or
7 Social Security Disability Insurance to ensure that there is a
8 single consolidated application process to seek health benefit
9 coverage under the program.

10 (b) To the extent possible, the commission shall make the
11 application form available in languages other than English.

12 (c) The executive commissioner may permit an individual to
13 apply by mail, over the telephone, or through the Internet.

14 Sec. 537A.0154. ELIGIBILITY SCREENING AND ENROLLMENT. (a)
15 The executive commissioner shall adopt eligibility screening and
16 enrollment procedures or use the Texas Integrated Enrollment
17 Services eligibility determination system or a compatible system to
18 screen individuals and enroll eligible individuals in the program.

19 (b) The executive commissioner may establish enrollment
20 periods for the program.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2023.