

By: Guerra

H.B. No. 5023

A BILL TO BE ENTITLED

AN ACT

relating to requiring Medicaid managed care organizations to provide an annual bonus payment to certain Medicaid providers.

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

SECTION 1. Subchapter A, Chapter 533, Government Code, is amended by adding Section 533.01317 to read as follows:

Sec. 533.01317. ANNUAL BONUS PAYMENT FOR CERTAIN PROVIDERS.

(a) Notwithstanding any other law, the executive commissioner by rule shall, in accordance with this section, require each Medicaid managed care organization to provide an annual bonus payment to certain providers in the organization's provider network. The rule must require that a Medicaid managed care organization provide a bonus payment to a provider in the organization's provider network if:

(1) during the immediately preceding fiscal year, the provider:

(A) was an enrolled Medicaid provider who provided health care services to recipients throughout the entire fiscal year; and

(B) provided health care services to recipients not later than an average of:

(i) 48 hours from the time a request for services was made for recipients with an acute health care condition; and

1 (ii) three weeks from the date a request for
2 services was made for recipients with a chronic health care
3 condition; and

4 (2) the provider is in good standing with the
5 provider's applicable licensing or regulatory authority.

6 (b) The bonus payment provided to a health care provider by
7 a Medicaid managed care organization under this section must be in
8 an amount equal to 25 percent of the profits the organization made
9 during the immediately preceding fiscal year on health care
10 services provided by the provider to recipients enrolled in the
11 organization's managed care plan.

12 (c) The executive commissioner shall ensure rules adopted
13 under this section prescribe a deadline by which a Medicaid managed
14 care organization must provide a bonus payment under this section.

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

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