

AN ACT

relating to the determination of fees, charges, and rates for certain benefits under Medicaid.

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

SECTION 1. Section 32.028(c), Human Resources Code, is amended to read as follows:

(c) The fee, charge, or rate for other medical assistance:

(1) is the usual and customary fee, charge, or rate that prevails in the community unless the payment is limited by state or federal law; and

(2) excludes any fee, charge, or rate offered as part of a monthly fee-based membership discount program.

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 September 1, 2025.

H.B. No. 2402

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2402 was passed by the House on May 2, 2025, by the following vote: Yeas 110, Nays 26, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2402 was passed by the Senate on May 23, 2025, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor