

By: Rose

H.B. No. 3902

A BILL TO BE ENTITLED

AN ACT

relating to licensure and contracting for the delivery of medical assistance by nursing facilities.

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

SECTION 1. Section 32.021, Human Resources Code, is amended by adding new subsection (t) as follows:

(t) The commission shall ensure that contracts for the delivery of medical assistance to a nursing facility:

(1) satisfy the requirements of Section 242. 033(h), Health and Safety Code;

(2) are awarded on terms and conditions that are no more stringent than the federal requirements governing Medicare certification and enrollment of skilled nursing facilities; and

(3) allow uninterrupted Medicaid payments if:

(A) the new provider meets the requirements of this Chapter and licensure requirements of Chapter 242, Health and Safety Code;

(B) the new provider assumes the prior provider's contract terms and conditions that were in effect of the time of ownership transfer; and

(C) the new provider enters into a successor liability agreement with the commission and the prior provider indicating the new provider agrees to pay the commission for any liabilities that exist or may be found to exist during the period of

1 the prior provider's contract with the commission.

2 SECTION 2. Section 242.033, Health and Safety Code is  
3 amended by adding new subsection (h) as follows:

4 (h) The department shall ensure that rules adopted this  
5 section:

6 (1) provide for a single application for licensure and  
7 contracting for the delivery of medical assistance consistent with  
8 the requirements of Chapter 32, Human Resources Code;

9 (2) require the department to issue a contract for the  
10 delivery of medical assistance within thirty (30) days of the  
11 issuance of a temporary change of ownership license as provided for  
12 in Section 242.00336(c); and

13 (3) ensure vendor payments are made to nursing  
14 facilities within thirty (30) days of the effective date of a  
15 contract for delivery of medical assistance, including:

16 (A) requiring any managed care organization  
17 contracts with the commission to provide for expedited  
18 credentialing of nursing facilities consistent with the  
19 commission's rules within no more than thirty (30) days; and

20 (B) managed care organizations' contracts with  
21 nursing facilities be effective the date of the commission's  
22 Medicaid contract with such nursing facilities.

23 SECTION 3. This Act takes effect September 1, 2025.