

By: Alvarado

S.B. No. 2348

A BILL TO BE ENTITLED

AN ACT

relating to Medicare provider certification and enrollment prerequisites to Medicaid and child health plan program provider enrollment.

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

SECTION 1. Subchapter D, Chapter 532, Government Code, as effective April 1, 2025, is amended by adding Section 532.0159 to read as follows:

Sec. 532.0159. MEDICARE PROVIDER CERTIFICATION OR ENROLLMENT AS PREREQUISITE TO MEDICAID PROVIDER ENROLLMENT. (a) This section applies only to a provider that has not been terminated or excluded from participating as a provider under Medicare, another state's Medicaid program, or the child health plan program.

(b) To participate as a provider in Medicaid, a provider must be certified for enrollment or enrolled as a provider in Medicare unless the provider is exempted as provided by Subsection (c).

(c) A provider is exempt from the Medicare certification or enrollment requirement under Subsection (b) if:

(1) the provider's type of practice or health care services offered are not covered by Medicare;

(2) the provider's exclusion from Medicaid participation on the basis of the lack of Medicare certification or enrollment will restrict a recipient's access to necessary

1 services; or

2 (3) a commission or other state agency rule expressly
3 exempts the provider from the Medicare certification or enrollment
4 requirement.

5 SECTION 2. Subchapter D, Chapter 62, Health and Safety
6 Code, is amended by adding Section 62.1562 to read as follows:

7 Sec. 62.1562. MEDICARE PROVIDER CERTIFICATION OR
8 ENROLLMENT AS PREREQUISITE TO CHILD HEALTH PLAN PROGRAM HEALTH CARE
9 PROVIDER ENROLLMENT. (a) This section applies only to a health
10 care provider that has not been terminated or excluded from
11 participating as a provider under Medicare or this state's or
12 another state's Medicaid program.

13 (b) To participate as a health care provider in the child
14 health plan program, a health care provider must be certified for
15 enrollment or enrolled as a provider in Medicare unless the
16 provider is exempted as provided by Subsection (c).

17 (c) A health care provider is exempt from the Medicare
18 provider certification or enrollment requirement under Subsection
19 (b) if:

20 (1) the provider's type of practice or health care
21 services offered are not covered by Medicare;

22 (2) the provider's exclusion from child health plan
23 program participation on the basis of the lack of Medicare
24 certification or enrollment will restrict an enrollee's access to
25 necessary health care services; or

26 (3) a commission or other state agency rule expressly
27 exempts the provider from the Medicare certification or enrollment

1 requirement.

2 SECTION 3. If before implementing any provision of this Act
3 a state agency determines that a waiver or authorization from a
4 federal agency is necessary for implementation of that provision,
5 the agency affected by the provision shall request the waiver or
6 authorization and may delay implementing that provision until the
7 waiver or authorization is granted.

8 SECTION 4. This Act takes effect September 1, 2025.