

By: Naishtat

H.B. No. 107

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to benefits for certain mental health services provided  
3 under the state child health plan.

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

5 SECTION 1. Subchapter D, Chapter 62, Health and Safety  
6 Code, is amended by adding Section 62.160 to read as follows:

7 Sec. 62.160. MENTAL HEALTH SERVICES. (a) In this section,  
8 "serious mental illness" has the meaning assigned by Article  
9 3.51-14, Insurance Code.

10 (b) Except as provided by Subsection (c), the child health  
11 plan must provide 20 outpatient visits for each enrolled child in  
12 each year, as is necessary and appropriate for short-term  
13 evaluative or crisis intervention mental health services.

14 (c) For treatment of serious mental illness, the child  
15 health plan must provide benefits equivalent to the coverage  
16 required by Section 3, Article 3.51-14, Insurance Code, subject to  
17 Subsections (d) and (e).

18 (d) An enrolled child may elect to receive, instead of the  
19 inpatient treatment required under Subsection (c):

20 (1) residential treatment services;

21 (2) therapeutic foster care services;

22 (3) other 24-hour therapeutically planned and  
23 structured services; or

24 (4) subacute outpatient mental health services,

1 including partial hospitalization or rehabilitative day treatment.

2 (e) Alternative services provided under Subsection (d) may  
3 not be more expensive than the inpatient treatment services for  
4 which they are substituted. Not more than 25 days of the inpatient  
5 treatment required under Subsection (c) may be converted to  
6 alternative services under Subsection (d).

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

13 SECTION 3. This Act takes effect September 1, 2003, if it  
14 receives a vote of two-thirds of all the members elected to each  
15 house, as provided by Section 39, Article III, Texas Constitution.  
16 If this Act does not receive the vote necessary for effect on that  
17 date, this Act takes effect November 1, 2003.