

BILL ANALYSIS

C.S.H.B. 3485

By: Delisi

State Health Care Expenditures, Select
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Department of Human Services' regulations state that non-emergency transportation costs are to be covered in the rates paid for Medicaid nursing home patients. However, the Health and Human Services Commission has not used these costs as a factor in its rate analysis for nursing homes. The stipulation in state regulations calling for these services to be included in the nursing home rate has led the Texas Department of Health's (TDH) transportation program to not provide medically necessary non-emergency transportation for clients in nursing homes.

Consequently, many nursing homes use ambulance services to transport their renal dialyses clients even when they do not need special transportation. Costs for ambulance service are considerably higher than those of the Medical Transportation Program.

This bill would require TDH rule changes to allow the use of Medical Transportation Program funds for nursing-home clients to reduce the cost of meeting their transportation needs.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3485 directs that the TDH, in its rules governing the Medical Transportation Program, may not prohibit a recipient of medical assistance from receiving transportation services through the program to obtain renal dialysis treatment on the basis that the recipient resides in a nursing facility.

C.S.H.B. 3485 provides that if a state agency determines that a waiver or authorization is needed from a federal agency then the state agency must request a waiver or obtain the necessary authorization from the federal agency. The implementation date may be delayed until the waiver or authorization is granted by the federal agency.

EFFECTIVE DATE

This Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3485 narrows the scope of the H.B. 3485 by inserting "to obtain renal dialyses treatment" in Section 1, Subsection (t-1).

C.S.H.B. 3485 amends SECTION 2, by adding language that would delay the implementation date if approval from a federal agency is needed.