

1-1 By: Chavez, Wohlgemuth (Senate Sponsor - Zaffirini) H.B. No. 111  
1-2 (In the Senate - Received from the House April 25, 2003;  
1-3 April 28, 2003, read first time and referred to Committee on Health  
1-4 and Human Services; May 21, 2003, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 6,  
1-6 Nays 1; May 21, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 111 By: Deuell

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to responsibility for payment for transport by ambulance  
1-11 of a recipient of medical assistance in certain circumstances.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 32.024(t), Human Resources Code, is  
1-14 amended to read as follows:

1-15 (t) The department by rule shall require a physician,  
1-16 nursing facility, health care provider, or other responsible party  
1-17 to obtain authorization from the department or a person authorized  
1-18 to act on behalf of the department before an ambulance is used to  
1-19 transport a recipient of medical assistance under this chapter in  
1-20 circumstances not involving an emergency. The rules must provide  
1-21 that:

1-22 (1) except as provided by Subdivision (3), a request  
1-23 for authorization must be evaluated based on the recipient's  
1-24 medical needs and may be granted for a length of time appropriate to  
1-25 the recipient's medical condition;

1-26 (2) except as provided by Subdivision (3), a response  
1-27 to a request for authorization must be made not later than 48 hours  
1-28 after receipt of the request;

1-29 (3) a request for authorization must be immediately  
1-30 granted and must be effective for a period of 180 days from the date  
1-31 of issuance if the request includes a written statement from a  
1-32 physician that:

1-33 (A) states that alternative means of  
1-34 transporting the recipient are contraindicated; and

1-35 (B) is dated not earlier than the 60th day before  
1-36 the date on which the request for authorization is made; ~~and~~

1-37 (4) a person denied payment for ambulance services  
1-38 rendered is entitled to payment from the nursing facility, health  
1-39 care provider, or other responsible party, other than a physician,  
1-40 that requested the services if:

1-41 (A) payment under the medical assistance program  
1-42 is denied because of lack of prior authorization; and

1-43 (B) the person provides the nursing facility,  
1-44 health care provider, or other responsible party, other than a  
1-45 physician, with a copy of the bill for which payment was denied; and

1-46 (5) a person denied payment for services rendered  
1-47 because of failure to obtain prior authorization or because a  
1-48 request for prior authorization was denied is entitled to appeal  
1-49 the denial of payment to the department.

1-50 SECTION 2. Section 32.024, Human Resources Code, is amended  
1-51 by adding Subsection (z) to read as follows:

1-52 (z) The department shall incorporate physician-oriented  
1-53 instruction on the appropriate procedures for authorizing  
1-54 ambulance service into current medical education courses.

1-55 SECTION 3. This Act takes effect immediately if it receives  
1-56 a vote of two-thirds of all the members elected to each house, as  
1-57 provided by Section 39, Article III, Texas Constitution. If this  
1-58 Act does not receive the vote necessary for immediate effect, this  
1-59 Act takes effect September 1, 2003.

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