

By: Coleman

H.B. No. 1555

A BILL TO BE ENTITLED

AN ACT

relating to a demonstration project to provide certain medications and related services through the medical assistance program.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.061 to read as follows:

Sec. 32.061. DEMONSTRATION PROJECT FOR CERTAIN MEDICATIONS AND RELATED SERVICES. (a) The department shall establish a demonstration project to provide to a person through the medical assistance program psychotropic medications and related laboratory and physician services necessary to conform to a prescribed medical regimen for those medications.

(b) A person is eligible to participate in the demonstration project if the person:

(1) has been diagnosed as having a mental impairment, including schizophrenia or bipolar disorder, that is expected to cause the person to become a disabled individual, as defined by Section 1614(a) of the federal Social Security Act (42 U.S.C. Section 1382c(a)), as amended;

(2) is at least 19 years of age, but not more than 64 years of age;

(3) has a net family income that is at or below 200 percent of the federal poverty level;

(4) is not covered by a health benefits plan offering

1 adequate coverage, as determined by the department; and

2 (5) is not otherwise eligible for medical assistance  
3 at the time the person's eligibility for participation in the  
4 demonstration project is determined.

5 (c) Notwithstanding any other provision of this section,  
6 the department shall provide each participant in the demonstration  
7 project with a 12-month period of continuous eligibility for  
8 participation in the project.

9 (d) Participation in the demonstration project does not  
10 entitle a participant to other services provided under the medical  
11 assistance program.

12 (e) The department shall establish an appropriate  
13 enrollment limit for the demonstration project and may not allow  
14 participation in the project to exceed that limit. Once the limit  
15 is reached, the department shall establish a waiting list for  
16 enrollment in the demonstration project.

17 (f) To the extent permitted by federal law, the department  
18 may require a participant in the demonstration project to make  
19 cost-sharing payments for services provided through the project.

20 (g) To the maximum extent possible, the department shall use  
21 existing resources to fund the demonstration project.

22 (h) Not later than December 1 of each even-numbered year,  
23 the department shall submit a biennial report to the legislature  
24 regarding the department's progress in establishing and operating  
25 the demonstration project.

26 (i) Not later than December 1, 2008, the department shall  
27 evaluate the cost-effectiveness of the demonstration project,

1 including whether the preventive drug treatments and related  
2 services provided under the project offset future long-term care  
3 costs for project participants. If the results of the evaluation  
4 indicate that the project is cost-effective, the department shall  
5 incorporate a request for funding for the continuation of the  
6 program in the department's budget request for the next state  
7 fiscal biennium.

8 (j) This section expires September 1, 2011.

9 SECTION 2. The state agency responsible for implementing  
10 the demonstration project required by Section 32.061, Human  
11 Resources Code, as added by this Act, shall request and actively  
12 pursue any necessary waivers or authorizations from the Centers for  
13 Medicare and Medicaid Services or other appropriate entities to  
14 enable the agency to implement the demonstration project not later  
15 than September 1, 2004. The agency may delay implementing the  
16 demonstration project until the necessary waivers or  
17 authorizations are granted.

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