

By: Deshotel

H.B. No. 2557

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the provision of medications and medical supplies under  
3 the medical assistance program.

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

5 SECTION 1. Chapter 32, Human Resources Code, is amended by  
6 adding Section 32.054 to read as follows:

7 Sec. 32.054. MEDICATIONS AND MEDICAL SUPPLIES. The  
8 department shall adopt rules establishing procedures for: (1) the  
9 purchase of medically necessary, over-the-counter medications and  
10 medical supplies that were previously being provided via  
11 prescription; and (2) the distribution of these over-the-counter  
12 medications and medical supplies in ways that are most  
13 cost-effective than obtaining these same over-the-counter  
14 medications and medical supplies through the current  
15 prescription-based model.

16 SECTION 2. WAIVER. If before implementing Section 1 of this  
17 Act, the Health and Human Services Commission determines that a  
18 waiver or authorization from a federal agency is necessary for  
19 implementation, the commission shall request the waiver or  
20 authorization and may delay implementing this Act until the waiver  
21 or authorization is granted.

22 SECTION 3. REPORTING REQUIREMENTS. The Health and Human  
23 Services Commission shall prepare a report for delivery by Jan 1,  
24 2004 to the committees of the senate and house of representatives

1 with jurisdiction over the Medicaid program detailing the status  
2 of cost-savings generated by purchasing improvements regarding  
3 over-the-counter medications and medical supplies and  
4 recommendations for further improvements. This report shall be  
5 updated for distribution to the same recipients prior to January 1,  
6 2005.

7 SECTION 4. EFFECTIVE DATE. This Act takes effect  
8 immediately if it receives a vote of two-thirds of all the members  
9 elected to each house, as provided by Section 39, Article III, Texas  
10 Constitution. If this Act does not receive the vote necessary for  
11 immediate effect, this Act takes effect September 1, 2003.