

By: Zaffirini

S.B. No. 245

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision of respiratory therapy services under the
3 medical assistance program.

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

5 SECTION 1. Section 32.024(p), Human Resources Code, is
6 amended to read as follows:

7 (p) The department shall provide home respiratory therapy
8 services to a recipient of medical assistance under this chapter
9 [~~for ventilator-dependent persons~~] to the extent permitted by
10 federal law.

11 SECTION 2. Section 32.027(c), Human Resources Code, is
12 amended to read as follows:

13 (c) A recipient of medical assistance under [~~that is~~
14 ~~authorized in~~] this chapter may select for the provision of
15 respiratory care therapy any person authorized to practice
16 respiratory care under Chapter 604, Occupations Code. The
17 department shall provide reimbursement to a person authorized to
18 practice respiratory care under that chapter [~~Act~~], a licensed
19 health care entity, or a physician licensed to practice medicine
20 under the laws of this state.

21 SECTION 3. If before implementing any provision of this Act
22 a state agency determines that a waiver or authorization from a
23 federal agency is necessary for implementation of that provision,
24 the agency affected by the provision shall request the waiver or

1 authorization and may delay implementing that provision until the
2 waiver or authorization is granted.

3 SECTION 4. This Act takes effect September 1, 2003.