

By: Janek

S.B. No. 314

A BILL TO BE ENTITLED

AN ACT

relating to the medical transportation program.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.063 to read as follows:

Sec. 531.063. CONTRACTS FOR TRANSPORTATION BROKERAGE SERVICES. (a) The commission shall contract with an appropriate number of regional transportation brokers for administrative assistance in providing transportation services under the medical transportation program.

(b) The commission may contract under this section with any person who meets the criteria established by the commission, including a nonprofit organization, public entity, or private contractor.

(c) A contract between the commission and a broker must:

(1) require the broker to act as a gatekeeper to control costs and the use of transportation services, as well as to ensure consistent quality of and access to those services;

(2) require the broker to implement procedures designed to:

(A) prevent fraud and abuse in the medical transportation program; and

(B) promote use of the most efficient and least costly modes of transportation; and

1 (3) include an overall cap on the amount that may be
2 paid by the commission under the contract.

3 (d) The broker or brokers selected by the commission may
4 contract with transportation providers as necessary to provide
5 transportation services to persons eligible for those services.

6 SECTION 2. On September 1, 2004, or on an earlier date
7 specified by the Health and Human Services Commission:

8 (1) all powers, duties, functions, activities,
9 obligations, rights, contracts, records, property, and
10 appropriations or other money of the Texas Department of Health
11 that are determined by the commissioner of health and human
12 services to be essential to the administration of the medical
13 transportation program are transferred to the Health and Human
14 Services Commission;

15 (2) a rule or form adopted by the Texas Department of
16 Health that relates to the medical transportation program is a rule
17 or form of the Health and Human Services Commission and remains in
18 effect until altered by the commission;

19 (3) a reference in law or an administrative rule to the
20 Texas Department of Health that relates to the medical
21 transportation program means the Health and Human Services
22 Commission;

23 (4) a license, permit, or certification in effect that
24 was issued by the Texas Department of Health that relates to the
25 medical transportation program is continued in effect as a license,
26 permit, or certification of the Health and Human Services
27 Commission; and

1 (5) a complaint, investigation, or other proceeding
2 pending before the Texas Department of Health that relates to the
3 medical transportation program is transferred without change in
4 status to the Health and Human Services Commission.

5 SECTION 3. The Health and Human Services Commission shall
6 take all action necessary to provide for:

7 (1) the transfer of the medical transportation program
8 to the commission as soon as possible after the effective date of
9 this Act but not later than September 1, 2004; and

10 (2) the execution of a contract authorized by Section
11 531.063, Government Code, as added by this Act, not later than
12 September 1, 2004.

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