

1-1 By: Madla S.B. No. 691
1-2 (In the Senate - Filed February 25, 2003; March 3, 2003,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; April 14, 2003, reported favorably, as amended, by the
1-5 following vote: Yeas 9, Nays 0; April 14, 2003, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Carona

1-7 Amend S.B. No. 691 as follows:
1-8 On page 1, line 26, strike "shall", and substitute "may".

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to reimbursement for telemedicine medical services under
1-12 the Medicaid program and other government-funded programs.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter B, Chapter 531, Government Code, is
1-15 amended by adding Sections 531.02173 and 531.02174 to read as
1-16 follows:

1-17 Sec. 531.02173. ALIGNMENT OF MEDICAID TELEMEDICINE
1-18 REIMBURSEMENT POLICIES WITH MEDICARE REIMBURSEMENT POLICIES.

1-19 (a) The commission shall periodically review policies regarding
1-20 reimbursement under the Medicaid program for telemedicine medical
1-21 services to identify variations between permissible reimbursement
1-22 under that program and reimbursement available to providers under
1-23 the Medicare program.

1-24 (b) To the extent practicable, and notwithstanding any
1-25 other state law, after conducting a review under Subsection (a) the
1-26 commission shall modify rules and procedures applicable to
1-27 reimbursement under the Medicaid program for telemedicine medical
1-28 services as necessary to provide for a reimbursement system that is
1-29 comparable to the reimbursement system for those services under the
1-30 Medicare program.

1-31 (c) The commission shall perform its duties under this
1-32 section with assistance from the telemedicine advisory committee
1-33 established under Section 531.02172.

1-34 Sec. 531.02174. ADDITIONAL AUTHORITY REGARDING
1-35 TELEMEDICINE MEDICAL SERVICES. (a) In addition to the authority
1-36 granted by other law regarding telemedicine medical services, the
1-37 commission may review rules and procedures applicable to
1-38 reimbursement of telemedicine medical services provided through
1-39 any government-funded health program subject to the commission's
1-40 oversight.

1-41 (b) The commission may modify rules and procedures
1-42 described by Subsection (a) as necessary to ensure that
1-43 reimbursement for telemedicine medical services is provided in a
1-44 cost-effective manner and only in circumstances in which the
1-45 provision of those services is clinically effective.

1-46 (c) This section does not affect the commission's authority
1-47 or duties under other law regarding reimbursement of telemedicine
1-48 medical services under the Medicaid program.

1-49 SECTION 2. If before implementing any provision of this Act
1-50 a state agency determines that a waiver or authorization from a
1-51 federal agency is necessary for implementation of that provision,
1-52 the agency affected by the provision shall request the waiver or
1-53 authorization and may delay implementing that provision until the
1-54 waiver or authorization is granted.

1-55 SECTION 3. This Act takes effect September 1, 2003.

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