

1-1 By: Van de Putte S.B. No. 865
1-2 (In the Senate - Filed March 4, 2003; March 10, 2003, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 29, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 29, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 865 By: Janek

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to pricing standards used under the Medicaid vendor drug
1-11 program.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,
1-14 is amended by adding Section 32.0462 to read as follows:

1-15 Sec. 32.0462. VENDOR DRUG PROGRAM; PRICING STANDARD.

1-16 (a) Notwithstanding any other provision of state law, the
1-17 department shall:

1-18 (1) consider a nationally recognized, unbiased
1-19 pricing standard for prescription drugs in determining
1-20 reimbursement amounts under the vendor drug program; and

1-21 (2) update reimbursement amounts under the vendor drug
1-22 program at least weekly.

1-23 (b) The commissioner shall adopt rules implementing this
1-24 section. In adopting rules, the commissioner shall ensure that
1-25 implementation of this section does not adversely affect the amount
1-26 of federal funds available to the state for providing benefits
1-27 under the vendor drug program.

1-28 SECTION 2. If before implementing any provision of this Act
1-29 a state agency determines that a waiver or authorization from a
1-30 federal agency is necessary for implementation of that provision,
1-31 the agency affected by the provision shall request the waiver or
1-32 authorization and may delay implementing that provision until the
1-33 waiver or authorization is granted.

1-34 SECTION 3. This Act takes effect September 1, 2003.

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