

## **BILL ANALYSIS**

C.S.H.B. 1912  
By: Hupp  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Several sessions ago, the Sunset Commission reviewed the Texas Rehabilitation Commission (TRC) and the Texas Commission on the Blind (TCB). From that Sunset process, a need was recognized to establish rates for medical services using a cost-based methodology. Subsequent legislation laid out and defined rate-setting provisions for TRC and TCB. Disability Determinations Services was part of TRC and was also subject to such provisions.

HB 2292 combined TRC and TCB under the newly-created the Department of Assistive and Rehabilitative Services (DARS), where they are now the Division for Rehabilitation Services and the Division for Blind Services, respectively. Current law provides multiple rate setting processes within DARS for these divisions.

C.S.H.B. 1912 combines rate setting processes into one provision of law to provide greater consistency across DARS divisions and to simplify the rate methodology process.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Executive Commissioner of the Health and Human Services Commission (HHSC) in SECTION 1 of this bill.

### **ANALYSIS**

The bill requires the HHSC Executive Commissioner by rule to adopt standards governing rates paid for medical services provided under Chapter 117, Human Resources Code. The rules must provide for an annual reevaluation of the rates. The bill sets forth certain criteria to be used by the Executive Commissioner in adopting a schedule of rates, and directs the Executive Commissioner to provide notice and the opportunity for comment to interested persons prior to adopting the standards and schedule of rates.

The bill also repeals Sections 91.029, 111.0551 and 111.0552 of the Human Resources Code.

### **EFFECTIVE DATE**

September 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original bill referred to rates under "the medical assistance program under Chapter 32 (Human Resources Code) and the Medicare program."

The committee substitute refers to rates under "Medicaid and Medicare programs."