

ANALYSIS

Senate Research Center
79R2432 CLG-D

S.B. 358
By: Gallegos
State Affairs
3/16/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Existing law does not require the collection of data and reporting of certain information regarding publicly funded health care programs.

As proposed, S.B. 358 requires the state to collect and disclose the names of the employers of applicants for publicly funded health care programs, such as Medicaid and CHIP, as well as any person requesting uncompensated care in hospitals. S.B. 358 also requires the state to disclose the total cost to the state of providing public health care benefits for those employees and their enrolled dependents for each named employer.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Sections 531.452 and 531.454, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 531, Government Code, by adding Subchapter M, as follows:

SUBCHAPTER M. DATA COLLECTION AND REPORTING RELATING TO EMPLOYERS OF BENEFICIARIES OF CERTAIN HEALTH CARE SERVICES

Sec. 531.451. DEFINITIONS. Defines "charitable care or services," "hospital," "proposed beneficiary of public health care assistance," "proposed beneficiary of charitable care or services," and "public health care assistance."

Sec. 531.452. APPLICATION FOR PUBLIC HEALTH CARE ASSISTANCE; EMPLOYMENT INFORMATION. Requires the executive commissioner of the Health and Human Services Commission (executive commissioner), by rule, to require a person applying for public health care assistance to identify the employer or employers of the proposed beneficiary of the assistance. Requires the applicant, if the proposed beneficiary is not employed, to identify the employer or employers of a person who is legally liable for the proposed beneficiary's support.

Sec. 531.453. REQUEST FOR CHARITABLE HOSPITAL CARE OR SERVICES; EMPLOYMENT INFORMATION. Requires that each hospital require a person requesting charitable care or services from the hospital to identify the employer or employers of the proposed beneficiary of the care or services. Requires the applicant, if the proposed beneficiary is not employed, to identify the employer or employers of a person who is legally liable for the proposed beneficiary's support. Requires each hospital, on at least an annual basis, to provide to the Health and Human Services Commission (commission) the employer information received under this section with respect to each person receiving charitable care or services at the hospital.

Sec. 531.454. RULEMAKING AUTHORITY. Requires the executive commissioner to adopt rules as necessary to implement this subchapter, including rules relating to reporting time frames and procedures.

Sec. 531.455. COOPERATION OF TEXAS WORKFORCE COMMISSION. Requires the Texas Workforce Commission, on request of the executive commissioner, to provide information to the executive commissioner regarding persons who are employers.

Sec. 531.456. REPORT. Defines "beneficiary of public health care assistance," "beneficiary of charitable care or services provided by a hospital," and "employer." Requires the commission, by January 15 of each year and after compiling and analyzing the information received under this subchapter, to prepare a written report regarding employers identified under this subchapter during the immediately preceding calendar year. Sets forth requirements and prohibitions for the information to be included in the report. Requires the commission to make the report available to the public on its Internet website and to provide a copy of the report in written form to any person upon request.

SECTION 2. Requires the executive commissioner to adopt any rules necessary to implement Subchapter M, Chapter 531, Government Code, as added by this Act, not later than January 1, 2006.

SECTION 3. Effective date: September 1, 2005.