

BILL ANALYSIS

Senate Research Center

S.B. 747
By: Carona et al.
Health & Human Services
7/18/2005
Enrolled

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently in Texas, women seeking preventative health and family planning services, who are Medicaid clients, are only eligible if they are living at or below 17 percent of the federal poverty level. Under federal Medicaid rules, the federal government provides a 90/10 match for these services. S.B. 747 requires the Health and Human Services Commission to create a Medicaid waiver program expanding eligibility to women living at or below 185 percent of the federal poverty level for preventative health and family planning services, increasing access to these services and allowing the state to draw down additional federal Medicaid funding.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 32, Human Resources Code, by adding Section 32.0248, as follows:

Sec. 32.0248. DEMONSTRATION PROJECT FOR WOMEN'S HEALTH CARE SERVICES. (a) Requires the Health and Human Services Commission (HHSC) to establish a five-year demonstration project through the medical assistance program to expand access to preventative health and family planning services for women. Authorizes a woman eligible under Subsection (b) to participate in the demonstration project (project) to receive certain appropriate preventative health and family planning services.

(b) Sets forth certain eligibility requirements for a woman to participate in the project.

(c) Requires HHSC to ensure that the standards of care provided to a woman participating in the project are consistent with the requirements of law and current best practices for provision of public health services.

(d) Requires HHSC to develop certain procedures for determining and certifying eligibility for services under the project at the point of service delivery using integrated procedures that minimize duplication of effort by providers, HHSC, and other state agencies. Prohibits HHSC from using a procedure that would require a cost in excess of 10 percent of the total costs of actual preventive health and family planning services provided under the demonstration project. Authorizes the eligibility procedure to provide for expedited determination and certification using a simplified form requiring only family income and size.

(e) Requires HHSC to compile a list of potential funding sources a woman participating in the project may be able to use to help pay for treatment for certain health problems.

(f) Requires providers of services under the project to comply with requests made by HHSC for information necessary for HHSC to carry out certain tasks.

(g) Requires HHSC, not later than December 1 of each even-numbered year, to submit a report to the legislature regarding HHSC's progress in establishing and operating the project.

(h) Requires HHSC to ensure that money spent under this project, regardless of funding source, is not used to perform or promote elective abortions. Prohibits HHSC, for the purpose of the demonstration project, from contracting with entities that perform or promote elective abortions or are affiliates of entities that perform or promote elective abortions.

(i) Provides that this section expires September 1, 2011.

SECTION 2. Authorizes delay of implementation of any provision of this Act until necessary federal waivers or authorizations are obtained.

SECTION 3. Requires the state agency responsible for implementing the project required by Section 32.0248, Human Resources Code, as added by this Act, to implement the project not later than September 1, 2006.

SECTION 4. Effective date: upon passage or September 1, 2005.