

AN ACT

relating to providing services for persons with chronic kidney disease under the medical assistance program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 533.009, Government Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) The commission shall ensure that managed care organizations under contract with the commission to provide health care services to recipients develop and implement special disease management programs to manage a disease or other chronic health conditions, such as heart disease, chronic kidney disease and its medical complications, respiratory illness, including asthma, diabetes, end-stage renal disease, HIV infection, or AIDS, and with respect to which the commission identifies populations for which disease management would be cost-effective.

(f) If a managed care organization implements a special disease management program to manage chronic kidney disease and its medical complications as provided by Subsection (a) and the managed care organization develops a program to provide screening for and diagnosis and treatment of chronic kidney disease and its medical complications to recipients under the organization's managed care plan, the program for screening, diagnosis, and treatment must use generally recognized clinical practice guidelines and laboratory

1 assessments that identify chronic kidney disease on the basis of
2 impaired kidney function or the presence of kidney damage.

3 SECTION 2. Section 32.059(a), Human Resources Code, as
4 added by Chapter 208, Acts of the 78th Legislature, Regular
5 Session, 2003, is amended to read as follows:

6 (a) The department shall request contract proposals from
7 providers of disease management programs to provide program
8 services to recipients of medical assistance who:

9 (1) have a disease or other chronic health condition,
10 such as heart disease, hemophilia, chronic kidney disease and its
11 medical complications, diabetes, respiratory illness, end-stage
12 renal disease, HIV infection, or AIDS, that the department
13 determines is a disease or condition that needs disease management;
14 and

15 (2) are not eligible to receive those services under a
16 Medicaid managed care plan.

17 SECTION 3. Subchapter B, Chapter 32, Human Resources Code,
18 is amended by adding Section 32.069 to read as follows:

19 Sec. 32.069. CHRONIC KIDNEY DISEASE MANAGEMENT INITIATIVE.
20 A provider of disease management programs under Section 32.059, as
21 added by Chapter 208, Acts of the 78th Legislature, Regular
22 Session, 2003, shall develop a program to provide screening for and
23 diagnosis and treatment of chronic kidney disease and its medical
24 complications under the medical assistance program. The program
25 must use generally recognized clinical practice guidelines and
26 laboratory assessments that identify chronic kidney disease on the
27 basis of impaired kidney function or the presence of kidney damage.

1 SECTION 4. To provide program services to persons with
2 chronic kidney disease under the medical assistance program, the
3 Health and Human Services Commission may modify an existing
4 contract between the commission and a provider of a disease
5 management program under the medical assistance program or between
6 the commission and a managed care organization under the medical
7 assistance program, as applicable.

8 SECTION 5. If before implementing any provision of this Act
9 a state agency determines that a waiver or authorization from a
10 federal agency is necessary for implementation of that provision,
11 the agency affected by the provision shall request the waiver or
12 authorization and may delay implementing that provision until the
13 waiver or authorization is granted.

14 SECTION 6. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 1252 was passed by the House on May 13, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1252 on May 26, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 1252 was passed by the Senate, with amendments, on May 23, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor