

By: Edwards

H.B. No. 1616

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to payments made to certain dentists under the medical  
3 assistance program.

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

5 SECTION 1. Section 32.054, Human Resources Code, is amended  
6 by adding Subsection (f) to read as follows:

7 (f) The department may not require a dentist participating  
8 in the medical assistance program to return payments provided under  
9 the medical assistance program solely on the ground that the  
10 payments were made for services performed by the dentist at a time  
11 that the dentist's license had lapsed due to failure to pay the  
12 required license renewal fee if the dentist is licensed in good  
13 standing as a dentist at the time the department seeks repayment,  
14 including repayment through the recoupment program.

15 SECTION 2. If before implementing any provision of this Act  
16 a state agency determines that a waiver or authorization from a  
17 federal agency is necessary for implementation of that provision,  
18 the agency affected by the provision shall request the waiver or  
19 authorization and may delay implementing that provision until the  
20 waiver or authorization is granted.

21 SECTION 3. Section 32.054(f), Human Resources Code, as  
22 added by this Act, applies to any payment recovery action taken by  
23 the Health and Human Services Commission on or after the effective  
24 date of this Act, regardless of the date on which the payment was

1 made.

2           SECTION 4. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2005.