

By: Hupp

H.B. No. 1912

A BILL TO BE ENTITLED

AN ACT

relating to rates for medical services provided by the Department of Assistive and Rehabilitative Services.

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

SECTION 1. Subchapter D, Chapter 117, Human Resources Code, is amended by adding Section 117.074 to read as follows:

Sec. 117.074. RATES FOR MEDICAL SERVICES. (a) The executive commissioner by rule shall adopt standards governing the determination of rates paid for medical services provided under this chapter. The rules must provide for an annual reevaluation of the rates.

(b) The executive commissioner shall establish a schedule of rates based on the standards adopted under Subsection (a). In adopting the rate schedule, the executive commissioner shall:

(1) compare the proposed rate schedule to other cost-based and resource-based rates for medical services, including rates paid under the medical assistance program under Chapter 32 and the Medicare program; and

(2) for any rate adopted that exceeds the lower of the medical assistance or Medicare rate for the same or a similar service, document the reasons why the adopted rate reflects consideration of the best value, provider availability, and consumer choice.

(c) The executive commissioner shall provide notice to

1 interested persons and allow those persons to present comments  
2 before adopting the standards and schedule of rates under  
3 Subsections (a) and (b).

4 SECTION 2. Sections 91.029, 111.0551, and 111.0552, Human  
5 Resources Code, are repealed.

6 SECTION 3. This Act takes effect September 1, 2005.