

1-1 By: Hupp (Senate Sponsor - Nelson) H.B. No. 1912
1-2 (In the Senate - Received from the House April 22, 2005;
1-3 April 25, 2005, read first time and referred to Committee on Health
1-4 and Human Services; May 5, 2005, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 5, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to rates for medical services provided by the Department
1-9 of Assistive and Rehabilitative Services.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter D, Chapter 117, Human Resources Code,
1-12 is amended by adding Section 117.074 to read as follows:

1-13 Sec. 117.074. RATES FOR MEDICAL SERVICES. (a) The
1-14 executive commissioner by rule shall adopt standards governing the
1-15 determination of rates paid for medical services provided under
1-16 this chapter. The rules must provide for an annual reevaluation of
1-17 the rates.

1-18 (b) The executive commissioner shall establish a schedule
1-19 of rates based on the standards adopted under Subsection (a). In
1-20 adopting the rate schedule, the executive commissioner shall:

1-21 (1) compare the proposed rate schedule to other
1-22 cost-based and resource-based rates for medical services,
1-23 including rates paid under the Medicaid and Medicare programs; and

1-24 (2) for any rate adopted that exceeds the Medicaid or
1-25 Medicare rate for the same or a similar service, document the
1-26 reasons why the adopted rate reflects consideration of the best
1-27 value, provider availability, and consumer choice.

1-28 (c) The executive commissioner shall provide notice to
1-29 interested persons and allow those persons to present comments
1-30 before adopting the standards and schedule of rates under
1-31 Subsections (a) and (b).

1-32 SECTION 2. Sections 91.029, 111.0551, and 111.0552, Human
1-33 Resources Code, are repealed.

1-34 SECTION 3. This Act takes effect September 1, 2005.

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