

By: Nelson

S.B. No. 47

Substitute the following for S.B. No. 47:

By: McReynolds

C.S.S.B. No. 47

A BILL TO BE ENTITLED

AN ACT

relating to the Medicaid fraud reduction pilot program.

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

SECTION 1. Section 531.1063, Government Code, is amended by amending Subsection (g) and adding Subsections (h), and (i) to read as follows:

(g) The commission shall implement ~~[may extend]~~ the program statewide as provided by Subsection (h) ~~[to additional counties]~~ if the commission determines that statewide implementation ~~[expansion]~~ would be cost-effective.

(h) The commission shall adopt a plan to implement the program statewide in phases and shall terminate the statewide implementation at any stage of the process if the commission determines that statewide implementation would not be cost-effective. The plan must include for each phase:

(1) a description of the policies and procedures to be tested concerning the handling of lost, forgotten, or stolen cards carrying a fingerprint image or situations in which a fingerprint match cannot be confirmed;

(2) a determination of whether the commission will require children or persons who are elderly or disabled to participate in the phase and the reason or reasons for including children or persons who are elderly or disabled in the phase; and

(3) a description of the manner and location in which

1 the fingerprint images will be initially collected.

2 (i) In developing the plan required by Subsection (h), the  
3 commission shall seek comments from recipients, providers, and  
4 other stakeholders in the state Medicaid program.

5 SECTION 2. (a) In this section, "Medicaid fraud reduction  
6 pilot program" means the pilot program required by Section  
7 531.1063, Government Code.

8 (b) The Health and Human Services Commission, before  
9 implementing a phase of the Medicaid fraud reduction pilot program  
10 that requires mandatory participation by Medicaid recipients or  
11 health care providers, shall submit a report regarding the phase to  
12 the governor, lieutenant governor, speaker of the house of  
13 representatives, and presiding officer of each standing committee  
14 of the senate and house of representatives having jurisdiction over  
15 the state Medicaid program. The report must include a description  
16 of each component of the plan for that phase, as required by  
17 Subsection (h), Section 531.1063, Government Code.

18 (c) In addition to the report required by Subsection (c),  
19 Section 2.23, Chapter 198, Acts of the 78th Legislature, Regular  
20 Session, 2003, the Health and Human Services Commission shall  
21 report, not later than December 1, 2006, on the status and progress  
22 of the Medicaid fraud reduction pilot program to the governor,  
23 lieutenant governor, speaker of the house of representatives, and  
24 presiding officer of each standing committee of the senate and  
25 house of representatives having jurisdiction over the state  
26 Medicaid program.

27 (d) The report required by Subsection (c) of this section

1 must include:

2 (1) a continued evaluation of the benefits of the  
3 program;

4 (2) an evaluation of the strengths and weaknesses of  
5 the policies and procedures tested in each phase required by  
6 Subsection (h), Section 531.1063, Government Code;

7 (3) information concerning the cost-effectiveness of  
8 the program;

9 (4) if the program has been implemented statewide, any  
10 significant problems encountered; and

11 (5) if the Health and Human Services Commission  
12 requires participation by children or persons who are elderly or  
13 disabled, the reason or reasons for including children or persons  
14 who are elderly or disabled in the program.

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