

BILL ANALYSIS

HB 1579
By: Guillen
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Rural Health Clinics and Federally Qualified Health Centers, working under the Primary Care Case Management (PCCM) program, are mandated to treat all Medicaid patients upon demand. This holds true even if a patient's primary care physician (PCP) has not referred that practice's patients to a PCCM program clinic for after-hours treatment.

This situation becomes problematic when a patient comes to a clinic outside of regular business hours and the clinic treats the patient even though the patient is not assigned to that clinic. This frequently results in a denial of claims for reimbursement from Medicaid.

HB 1579 will remove administrative barriers and allow these clinics, which are critical to health care in underserved and rural areas, to receive their Medicaid reimbursements for services provided.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

HB 1579 requires the Health and Human Services Commission (HHSC) to ensure that a federally qualified health center or rural health clinic is reimbursed for health care services provided to recipients, receiving medical assistance through any Medicaid managed care model or arrangement, outside of regular business hours, including on a weekend or holiday, at a rate that is equal to the allowable rate for those services as determined under Section 32.028, Human Resources Code, regardless of whether the recipient has a referral from the recipient's primary care physician.

The bill directs a state agency affected by this provision to seek federal authority, or to request a waiver, if it determines the authority or waiver is necessary for implementation of the provision, and authorizes the agency to delay implementation until the waiver or authorization is granted. The bill requires the executive commissioner of HHSC to adopt rules regarding the days, times of days, and holidays that are considered to be outside of regular business hours.

EFFECTIVE DATE

September 1, 2007.