

BILL ANALYSIS

S.B. 760
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law directs the Health and Human Services Commission (HHSC) to encourage a limited number of health care providers to participate in telemedicine. Currently, there is a shortage of telemedicine providers in Texas, and terms such as remote site and hub site, used by Medicaid, have different meanings under Medicare, causing confusion and a lack of interoperability.

As proposed, S.B. 760 requires HHSC to encourage all health care providers in Texas to participate in telemedicine and clarifies the definition of remote and hub sites.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Health and Human Services Commission is modified in SECTION 1 (Section 531.0216, Government Code) of this bill.

ANALYSIS

SECTION 1. Amends Sections 531.0216(c) and (d), Government Code, as follows:

(c) Requires the Health and Human Services Commission (HHSC) to encourage health care providers and health care facilities to participate as telemedicine medical service providers in the health care delivery system. Deletes existing text requiring the commission to encourage physicians, teaching hospitals, small rural hospitals, federally qualified health centers, and state-owned health care facilities to participate as telemedicine medical service providers in the health care delivery system.

(d) Requires HHSC, in the rules adopted under this section, to refer to the site where the patient is physically located as the patient site and to refer to the site where the physician providing the telemedicine medical service is physically located as the distant site.

SECTION 2. Amends Section 531.02163(d), Government Code, to rename the telemedicine hub site as the telemedicine distant site and the remote site as the patient site.

SECTION 3. Authorizes delay of implementation until any necessary federal waivers of authorizations are obtained.

SECTION 4. Requires the executive commissioner of HHSC, as soon as practicable after the effective date of this bill, to modify rules adopted by the executive commissioner to implement Sections 531.0216(d) and 531.02163(d), Government Code, as to conform to the changes in law made to those sections by this bill.

EFFECTIVE DATE

September 1, 2007.