

BILL ANALYSIS

Senate Research Center
80R948 ABC-D

S.B. 1481
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas nursing facilities are reimbursed for the care provided to patients under the Texas Index for Level of Effort (TILE) reimbursement system, which assigns a level of care designation for the level of effort necessary to deliver the care and determines the daily rate paid to nursing facilities based on that level of care. Periodically, the Health and Human Services Commission's (HHSC) office of inspector general investigates whether the TILE levels assigned correspond with the actual level of effort. Nursing facilities that disagree with a determination by those entities are authorized to request a reconsideration of the decision. Currently, reconsiderations may take 12 months or longer to be resolved, leaving nursing homes without the funds that were recouped or withheld during the reconsideration.

As proposed, S.B. 1481 requires HHSC to assign the nursing facility's determination of appropriate TILE level and pay the associated daily reimbursement rate in the event that HHSC fails to make a reconsideration decision within 30 days.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.089, as follows:

Sec. 531.089. RECONSIDERATION OF TILE CLASSIFICATION. (a) Defines "TILE classification."

(b) Requires the Health and Human Services Commission (HHSC), upon receipt of a reconsideration request relating to a nursing facility or hospice provider's disagreement with HHSC's Texas Index for Level of Effort (TILE) classification of a nursing facility resident (resident), to review and make a determination on the request not later than the 30th day after date the request was received.

(c) Provides that the TILE classification requested by the nursing facility or hospice provider regarding a resident is considered granted if HHSC does not make a determination on the request within the 30-day period, and that the TILE certification and the associated daily reimbursement rate is assigned to the resident retroactively to the effective date of the incorrect TILE classification.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Authorizes a state agency to delay implementing a provision of this Act until a requested federal waiver or authorization necessary to implement that provision is obtained.

SECTION 4. Effective date: September 1, 2007.