

By: Noriega

H.B. No. 1641

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to reimbursement for health care services provided at  
3 certain times to persons enrolled in the Medicaid managed care  
4 program.

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

6 SECTION 1. Subchapter A, Chapter 533, Government Code, is  
7 amended by adding Section 533.01315 to read as follows:

8 Sec. 533.01315. REIMBURSEMENT FOR SERVICES PROVIDED OUTSIDE  
9 OF REGULAR BUSINESS HOURS. (a) This section applies only to a  
10 recipient receiving medical assistance through any Medicaid  
11 managed care model or arrangement.

12 (b) The commission shall ensure that a federally qualified  
13 health center or rural health clinic is reimbursed for health care  
14 services provided to a recipient outside of regular business hours,  
15 including on a weekend or holiday, at a rate that is equal to the  
16 allowable rate for those services as determined under Section  
17 32.028, Human Resources Code, regardless of whether the recipient  
18 has a referral from the recipient's primary care physician.

19 (c) The executive commissioner shall adopt rules regarding  
20 the days, times of days, and holidays that are considered to be  
21 outside of regular business hours for purposes of Subsection (b).

22 SECTION 2. If before implementing any provision of this  
23 Act a state agency determines that a waiver or authorization from a  
24 federal agency is necessary for implementation of that provision,

1 the agency affected by the provision shall request the waiver or  
2 authorization and may delay implementing that provision until the  
3 waiver or authorization is granted.

4 SECTION 3. This Act takes effect September 1, 2007.