

By: Giddings

H.B. No. 1743

A BILL TO BE ENTITLED

AN ACT

relating to establishing a demonstration project for the regional delivery of tertiary care services.

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

SECTION 1. Subtitle B, Title 2, Health and Safety Code, is amended by adding Chapter 46B to read as follows:

CHAPTER 46B. DEMONSTRATION OF REGIONAL DELIVERY OF TERTIARY MEDICAL CARE

Sec. 46B.001. DEFINITIONS. In this chapter:

(1) "Department" means the Department of State Health Services.

(2) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(3) "Public health region three" means the public health region under Chapter 121 designated by the department as public health region three.

(4) "Regional board" means the tertiary medical services regional board created under this chapter.

(5) "Tertiary care facility" has the meaning assigned by Section 46.001.

(6) "Tertiary medical services" has the meaning assigned by Section 46.001.

Sec. 46B.002. REGIONAL DEMONSTRATION PROJECT. (a) The department shall establish a demonstration project in public health

1 region three to develop and implement a regional approach to the  
2 delivery of tertiary medical services.

3 (b) A county, municipality, hospital district, or tertiary  
4 care facility in public health region three may elect to  
5 participate in the demonstration project by notifying the  
6 department in accordance with rules adopted by the executive  
7 commissioner.

8 Sec. 46B.003. RULES. The executive commissioner may adopt  
9 rules for the implementation of the demonstration project under  
10 this chapter.

11 Sec. 46B.004. TERTIARY MEDICAL SERVICES REGIONAL BOARD.

12 (a) The executive commissioner shall establish the tertiary medical  
13 services regional board to administer the demonstration project  
14 under this chapter. Members of the regional board serve two-year  
15 terms.

16 (b) The regional board is composed of:

17 (1) one member representing each participating  
18 county, municipality, or hospital district appointed by the county,  
19 municipality, or hospital district;

20 (2) one member appointed by the executive commissioner  
21 as nominated by the participating tertiary care facilities; and

22 (3) the chief executive officer of the department or a  
23 representative appointed by the chief executive officer.

24 (c) The regional board shall elect a presiding officer and  
25 adopt rules governing the administration of the regional board.

26 (d) Chapter 2110, Government Code, does not apply to the  
27 regional board.

1       Sec. 46B.005. REGIONAL BOARD DUTIES. (a) The regional  
2 board shall develop and implement a system for the delivery of  
3 tertiary medical services on a regional basis.

4       (b) In developing the system, the regional board shall:

5           (1) assess:

6                   (A) the tertiary medical services needs of the  
7 region; and

8                   (B) the need for additional tertiary medical  
9 services in the region, including the types of services needed and  
10 the levels of services needed;

11           (2) inventory the tertiary medical services available  
12 in the region;

13           (3) identify sources and methods of funding for the  
14 provision of tertiary medical services in the region; and

15           (4) make recommendations to the Health and Human  
16 Services Commission and the department regarding implementation of  
17 the demonstration project.

18       (c) In implementing the system, the board shall:

19           (1) contract with providers to provide tertiary  
20 medical services to eligible individuals in the region;

21           (2) coordinate payments for tertiary medical services  
22 to participating providers; and

23           (3) monitor the progress of the demonstration project.

24       Sec. 46B.006. ELIGIBILITY FOR TERTIARY MEDICAL SERVICES  
25 PROVIDED THROUGH DEMONSTRATION PROJECT. (a) The regional board  
26 shall establish minimum eligibility standards and application,  
27 documentation, and verification procedures for participating

1 entities to use in determining eligibility of persons receiving  
2 tertiary medical services under this chapter. The eligibility  
3 standards must be coordinated with the standards applicable for  
4 each participating entity under Chapter 61.

5 (b) The minimum eligibility standards must:

6 (1) include a person who is a resident of a county in  
7 public health region three, regardless of the county's  
8 participation in the demonstration project; and

9 (2) incorporate a net income eligibility level equal  
10 to 100 percent of the federal poverty level based on the federal  
11 Office of Management and Budget poverty index.

12 (c) For a person who is located within the boundaries of a  
13 county, municipality, or hospital district within public health  
14 region three that is not served by a provider of tertiary medical  
15 services, the minimum eligibility standards may incorporate a net  
16 income eligibility level that is less than 200 percent of the  
17 federal poverty level based on the federal Office of Management and  
18 Budget poverty index. The regional board may provide for a  
19 different level of reimbursement for tertiary medical services  
20 provided to a person described by this subsection.

21 Sec. 46B.007. FUNDS FOR DEMONSTRATION PROJECT. (a) The  
22 regional board may accept and use local, state, and federal funds  
23 and private donations to fund the demonstration project.

24 (b) State, local, and private funds may be used to qualify  
25 for federal matching funds that are available to fund the  
26 demonstration project.

27 (c) A participating county, municipality, hospital

1 district, or tertiary care facility may contribute funds to the  
2 regional board for use in the demonstration project.

3 (d) The regional board shall deposit money received under  
4 this section other than state and federal funds into an account  
5 maintained by the comptroller outside the state treasury and  
6 administered by the regional board.

7 (e) Funds received from a participating county,  
8 municipality, hospital district, or tertiary care facility under  
9 this section may be used only to pay for:

10 (1) tertiary medical services provided to eligible  
11 residents by contracted providers;

12 (2) expanding the type or level of tertiary medical  
13 services available to eligible residents in the region;

14 (3) the costs incurred by the regional board in  
15 administering the demonstration project;

16 (4) programs and grants to enhance the health of  
17 eligible residents; and

18 (5) other appropriate expenses related to the  
19 demonstration project.

20 (f) The regional board shall adopt procedures to ensure that  
21 money from the account administered by the board is used for a  
22 purpose described by Subsection (e).

23 (g) Funds remaining in an account administered by the  
24 regional board when the demonstration project ends shall be  
25 distributed to each participating entity in proportion to the  
26 contribution made by the entity.

27 Sec. 46B.008. REPORT. Not later than September 1, 2010,

1 the regional board shall submit a report to the executive  
2 commissioner, the governor, the lieutenant governor, and the  
3 speaker of the house of representatives regarding:

4 (1) the results of the demonstration project; and

5 (2) the regional board's recommendations regarding the  
6 further development and implementation of the regional delivery of  
7 tertiary medical services.

8 Sec. 46B.009. EXPIRATION. This chapter expires September  
9 1, 2011.

10 SECTION 2. If before implementing any provision of this Act  
11 a state agency determines that a waiver or authorization from a  
12 federal agency is necessary for implementation of that provision,  
13 the agency affected by the provision shall request the waiver or  
14 authorization and may delay implementing that provision until the  
15 waiver or authorization is granted.

16 SECTION 3. Not later than September 1, 2008, the Department  
17 of State Health Services shall implement the demonstration project  
18 required by Chapter 46B, Health and Safety Code, as added by this  
19 Act.

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