

By: McReynolds

H.B. No. 3917

A BILL TO BE ENTITLED

AN ACT

relating to the provision of diabetes self-management training under the state Medicaid program and the child health plan program.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.076 to read as follows:

Sec. 32.076. DIABETES SELF-MANAGEMENT TRAINING. (a) Notwithstanding Section 32.057 and to the extent allowed by federal law, the medical assistance program must provide diabetes self-management training in accordance with Section 1358.055, Insurance Code, to a recipient of medical assistance diagnosed with diabetes.

(b) In implementing this section, the Health and Human Services Commission shall ensure that:

(1) an assessment of a recipient for the diabetes self-management training includes a review of the recipient's medical history, risk factors, health status, resource utilization, knowledge and skill level, and cultural barriers to effective diabetes self-management;

(2) a recipient receives a minimum of:

(A) 10 hours of initial self-management training with a diabetes educator; and

(B) three hours of initial nutrition education with a registered dietitian;

1 (3) after receipt of the initial self-management
2 training, the recipient receives a minimum of two hours of training
3 each year with a diabetes educator and two hours of training each
4 year with a registered dietitian;

5 (4) if diabetes self-management training is provided
6 in group sessions, the recipient has direct, face-to-face
7 interaction with the educator and is offered a sufficient number of
8 individual sessions to meet the recipient's cultural and
9 educational needs; and

10 (5) the recipient may repeat all or part of the
11 self-management training as necessary, regardless of whether the
12 recipient is diagnosed with a new health condition or experiences a
13 change in health status.

14 SECTION 2. Subchapter D, Chapter 62, Health and Safety
15 Code, is amended by adding Section 62.160 to read as follows:

16 Sec. 62.160. DIABETES SELF-MANAGEMENT TRAINING. (a)
17 Notwithstanding Section 62.159 and to the extent allowed by federal
18 law, in providing disease management services required by Section
19 62.159, the child health plan must provide diabetes self-management
20 training in accordance with Section 1358.055, Insurance Code, to an
21 enrolled child diagnosed with diabetes in a developmentally
22 appropriate manner.

23 (b) In implementing this section, the commission shall
24 ensure that:

25 (1) an assessment of an enrolled child for the
26 diabetes self-management training includes a review of the child's
27 medical history, risk factors, health status, resource

1 utilization, knowledge and skill level, and cultural barriers to
2 effective diabetes self-management;

3 (2) an enrolled child, when developmentally
4 appropriate, receives a minimum of:

5 (A) 10 hours of initial self-management training
6 with a diabetes educator; and

7 (B) three hours of initial nutrition education
8 with a registered dietitian;

9 (3) after receipt of the initial self-management
10 training, the child receives a minimum of two hours of training each
11 year with a diabetes educator and two hours of training each year
12 with a registered dietitian;

13 (4) if diabetes self-management training is provided
14 in group sessions, the child has direct, face-to-face interaction
15 with the educator and is offered a sufficient number of individual
16 sessions to meet the child's cultural and educational needs; and

17 (5) the child may repeat all or part of the
18 self-management training as necessary, regardless of whether the
19 child is diagnosed with a new health condition or experiences a
20 change in health status.

21 SECTION 3. Subchapter A, Chapter 533, Government Code, is
22 amended by adding Section 533.0091 to read as follows:

23 Sec. 533.0091. DIABETES SELF-MANAGEMENT TRAINING.
24 Notwithstanding Section 533.009 and to the extent allowed by
25 federal law, the commission shall ensure that a managed care
26 organization under contract with the commission to provide health
27 care services to a recipient provides diabetes self-management

1 training to a recipient diagnosed with diabetes. The training must
2 meet the requirements of:

3 (1) Section 1358.055, Insurance Code; and

4 (2) Section 32.076(b), Human Resources Code.

5 SECTION 4. If before implementing any provision of this Act
6 a state agency determines that a waiver or authorization from a
7 federal agency is necessary for implementation of that provision,
8 the agency affected by the provision shall request the waiver or
9 authorization and may delay implementing that provision until the
10 waiver or authorization is granted.

11 SECTION 5. This Act takes effect September 1, 2007.