

By: Herrero

H.B. No. 3976

A BILL TO BE ENTITLED

AN ACT

relating to the operation of certain health and human services systems and programs.

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

SECTION 1. STUDY AND MODIFICATION OF CERTAIN HEALTH AND HUMAN SERVICES PROGRAMS AND SYSTEMS. (a) The Health and Human Services Commission shall investigate the operation of the redesigned integrated eligibility and benefits determination system for health and human services. The commission's investigation must include:

(1) investigating the implementation and determining the functionality of the Texas Integrated Eligibility and Redesign System, including:

(A) determining the general functionality of the system with respect to its intended purposes;

(B) identifying the actions that would be necessary to improve the system's functionality with respect to those purposes, and whether those actions are feasible; and

(C) determining the functionality of the system with respect to integrating benefits eligibility determination for the child health plan program under Chapter 62, Health and Safety Code, and the medical assistance program under Chapter 32, Human Resources Code;

(2) analyzing the process by which the commission

1 selected and entered into contracts with persons and entities for  
2 the implementation of the redesigned integrated eligibility and  
3 benefits determination system for health and human services and the  
4 terms of those contracts;

5 (3) assessing the performance of persons and entities  
6 with which the commission entered into contracts for the purposes  
7 described by Subdivision (2) of this subsection;

8 (4) assessing the performance of subcontractors of the  
9 contractors described by Subdivision (3) of this subsection that  
10 contract to implement a component of the system;

11 (5) identifying actions that may be taken to stop  
12 operating the system through contractors and instead operate the  
13 system using state employees; and

14 (6) identifying actions necessary to stop processing  
15 applications for the child health plan program using the system,  
16 including alternate application and benefits determination systems  
17 that may be used to process those applications.

18 (b) The commission shall investigate the Medicaid Star +  
19 Plus pilot program operating under Chapter 533, Government Code.  
20 The investigation must include:

21 (1) determining whether the program should be  
22 terminated, operated only in the areas of this state in which the  
23 program has already been implemented, or implemented in additional  
24 areas;

25 (2) determining whether there are certain areas in  
26 this state in which the program should not operate;

27 (3) analyzing the process by which the commission

1 selected and entered into contracts with persons and entities for  
2 the implementation of the program and the terms of those contracts;

3 (4) assessing the performance of persons and entities  
4 with which the commission entered into contracts for the purposes  
5 described by Subdivision (3) of this subsection;

6 (5) assessing the performance of subcontractors of the  
7 contractors described by Subdivision (4) of this subsection that  
8 contract to implement a component of the program;

9 (6) determining a process by which the contracts with  
10 persons and entities described by Subdivisions (4) and (5) of this  
11 subsection are evaluated on an annual basis;

12 (7) identifying actions that may be taken to terminate  
13 or modify the contracts with persons and entities described by  
14 Subdivisions (4) and (5) of this subsection;

15 (8) identifying actions that are necessary to cease  
16 using contractors to negotiate and oversee contracts with managed  
17 care organizations implementing the program and instead use state  
18 employees to perform those functions; and

19 (9) investigating problems experienced by health care  
20 providers participating in the program, including:

21 (A) problems with respect to obtaining payment  
22 for services provided under the program; and

23 (B) the failure of managed care organizations to  
24 give the providers adequate information concerning the  
25 requirements to obtain reimbursements under the program, including  
26 guidelines with respect to submitting claims.

27 (c) The commission shall take any action identified as

1 required by Subsection (a) or (b) that the commission determines  
2 will be beneficial for this state, provided that the commission is  
3 otherwise authorized by law to take the action.

4 (d) The commission shall submit periodic reports to the  
5 standing committees of the senate and house of representatives  
6 having primary jurisdiction over health and human services programs  
7 detailing the status of the commission's investigations and any  
8 actions taken under this section.

9 SECTION 2. EXPANSION OF REDESIGNED INTEGRATED ELIGIBILITY  
10 AND AND BENEFITS DETERMINATION SYSTEM LIMITED. (a) Subject to  
11 Subsection (b) of this section, on and after September 1, 2007, the  
12 Health and Human Services Commission may not implement the  
13 redesigned integrated eligibility and benefits determination  
14 system for health and human services, including the Texas  
15 Integrated Eligibility and Redesign System, in any area of this  
16 state in which the system was not operating immediately before that  
17 date.

18 (b) On and after September 1, 2007, the Health and Human  
19 Services Commission may not enter into or renew a contract for the  
20 operation of any component of the redesigned integrated eligibility  
21 and benefits determination system for health and human services,  
22 including the Texas Integrated Eligibility and Redesign System.

23 SECTION 3. EXPANSION OF MEDICAID STAR + PLUS PROGRAM  
24 LIMITED. (a) Subject to Subsection (b) of this section, on and  
25 after September 1, 2007, the Health and Human Services Commission  
26 may not implement the Medicaid Star + Plus program in any area of  
27 this state in which the program was not operating immediately

1 before that date.

2 (b) On and after September 1, 2007, the Health and Human  
3 Services Commission may not enter into or renew a contract for the  
4 operation of any component of the Medicaid Star + Plus program.

5 SECTION 4. TERMINATION. (a) On and after September 1,  
6 2009, the Health and Human Services Commission shall cease using  
7 the redesigned integrated eligibility and benefits determination  
8 system for health and human services, including the Texas  
9 Integrated Eligibility and Redesign System, in any area of this  
10 state in which the system was implemented, except to the extent  
11 required by a contract entered into before September 1, 2007.

12 (b) On and after September 1, 2009, the Health and Human  
13 Services Commission shall cease operating the Medicaid Star + Plus  
14 program in any area of this state in which the program was  
15 implemented, except to the extent required by a contract entered  
16 into before September 1, 2007.

17 SECTION 5. EFFECTIVE DATE. This Act takes effect  
18 immediately if it receives a vote of two-thirds of all the members  
19 elected to each house, as provided by Section 39, Article III, Texas  
20 Constitution. If this Act does not receive the vote necessary for  
21 immediate effect, this Act takes effect September 1, 2007.