

By: Brimer

S.B. No. 1481

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requests for reconsideration of TILE classifications
3 assigned to certain nursing facility residents.

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

5 SECTION 1. Subchapter B, Chapter 531, Government Code, is
6 amended by adding Section 531.089 to read as follows:

7 Sec. 531.089. RECONSIDERATION OF TILE CLASSIFICATION. (a)

8 In this section, "TILE classification" means the classification
9 assigned under the Texas Index for Level of Effort classification
10 system to a nursing facility resident that quantifies the intensity
11 of the care needs of the resident and determines the daily
12 reimbursement rate for that care.

13 (b) If a nursing facility or hospice provider disagrees with
14 the commission's TILE classification of a nursing facility resident
15 and submits a reconsideration request for that classification as
16 provided by commission rules, the commission shall review and make
17 a determination on the request not later than the 30th day after the
18 date the commission receives the request.

19 (c) If the commission does not make a determination on a
20 reconsideration request during the period required by Subsection
21 (b), the TILE classification requested by the nursing facility or
22 hospice provider for the nursing facility resident is considered
23 granted, and that TILE classification and the associated daily
24 reimbursement rate is assigned to the resident retroactively to the

1 effective date of the incorrect TILE classification.

2 SECTION 2. Section 531.089, Government Code, as added by
3 this Act, applies to a request for reconsideration of a Texas Index
4 for Level of Effort classification received by the Health and Human
5 Services Commission on or after the effective date of this Act.

6 SECTION 3. If before implementing any provision of this Act
7 a state agency determines that a waiver or authorization from a
8 federal agency is necessary for implementation of that provision,
9 the agency affected by the provision shall request the waiver or
10 authorization and may delay implementing that provision until the
11 waiver or authorization is granted.

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