

BILL ANALYSIS

H.B. 279
By: Anchia
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

School-based health centers provide, among other services, immunizations, well-child visits, vision and hearing screenings, and physical and mental health services to public school students. Often, these centers serve as an important source of preventive care for the community.

Currently, many school-based health centers are not reimbursed by Medicaid for the care they provide because they are not designated as the primary care physician.

H.B. 279 ensures Medicaid reimbursement to school-based health centers for services provided, regardless of whether the recipient of those services is required to have a primary care physician.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTIONS 1 and 3 of this bill.

ANALYSIS

H.B. 279 amends the Human Resources Code to require the executive commissioner of the Health and Human Services Commission, by rule, to ensure that a school-based health center is reimbursed under Medicaid for the provision of a Medicaid service or procedure to a Medicaid recipient, regardless of whether the recipient is required to have a primary care physician or other gatekeeper or health care coordinator or has obtained a referral for the service or procedure from that physician, gatekeeper, or coordinator that is otherwise required. The bill clarifies that its provisions may not be construed as an expansion of the scope of Medicaid services and procedures.

H.B. 279 requires the commission to seek to amend contracts entered into with managed care organizations under the Medicaid managed care program to require those organizations to comply with rules adopted in accordance with the bill's provisions before the effective date of the bill. The bill clarifies that a contract provision prevails to the extent there is a conflict between the rules and a provision of a contract entered into before the bill's effective date.

H.B. 279 requires a state agency that is affected by a provision of the bill to request a federal waiver or authorization if the agency determines that a waiver or authorization is necessary for the implementation of the provision, and it authorizes the agency to delay implementation until that federal waiver or authorization is obtained.

EFFECTIVE DATE

September 1, 2009.