

BILL ANALYSIS

C.S.H.B. 1453
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2003, the 78th Legislature, Regular Session, enacted H.B. 2292 to consolidate administration of and delivery of services by the state's health and human services agencies. However, consumer access to Medicaid-funded long-term care services has become more complex since the bill's passage. Long-term care service delivery for community-based care is currently divided between two state agencies: one large system operated by the Health and Human Services Commission (HHSC) and another large system operated by the Department of Aging and Disability Services (DADS). For consumers, this means long-term care service options vary depending on where an individual lives.

The dual systems can make it difficult for consumers to navigate the process of applying for and receiving long-term care services, as well as getting the information necessary to make informed decisions about the services available.

C.S.H.B. 1453 requires HHSC to make its existing website consumer-friendly for long-term care services by presenting key information needed by consumers and other stakeholders to evaluate contractor performance in plain and easy to understand language so consumers are better able to make informed choices about their care or care for a loved one.

C.S.H.B. 1453 requires HHSC to modify the commission's website by ensuring all information is easily accessible and understood by consumers, including relevant data from policy reports that may be used by consumers to evaluate the quality of services and reports of external quality review organizations. Although most of this information can be found on HHSC's website currently, some of it is not easily accessible for laypersons. The bill requires the information to be organized on HHSC's website in an accessible and meaningful manner for individuals making decisions about long-term care services. The bill sets out specific information that must be included relating to the Medicaid Star + Plus program, including a summary of the financial statistical report outlining outcome-based performance measures and incentives for value-based contracts, and information about sanctions and complaints. The bill requires the DADS website to include the same information or a link to the information. The bill requires HHSC or DADS to provide a printable version of the required information to a consumer on request and authorizes a reasonable fee for printing.

RULEMAKING AUTHORITY

It is the committee's opinion that this substitute does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1453 amends the Government Code to require the Internet site maintained by the Health and Human Services Commission (HHSC) for the purpose of informing the public about the services and programs provided or administered by Texas' health and human services agencies to include information for consumers concerning long-term care services and to require

the Department of Aging and Disability Services (DADS) Internet site to include a link to that information.

C.S.H.B. 1453 requires the long-term care consumer information to be presented in an easily accessible and understandable manner and to allow the consumer to make informed choices concerning long-term care services. The bill requires the information to include an explanation of the administration of long-term care service delivery in different counties and information relating to the Medicaid Star + Plus pilot program that allows a consumer to evaluate the performance of each participating plan issuer based on enrollment in each county, additional "value-added" services provided, a summary of the financial statistical report outlining outcome-based performance measures and incentives for value-based contracts, complaint information, any sanction or penalty imposed by a state agency, information concerning consumer satisfaction, and other data, including relevant data from reports of external quality review organizations.

C.S.H.B. 1453 requires HHSC or DADS to provide a consumer with a printed copy of the information from the website on request by the consumer, in addition to providing the required information through the Internet. The bill authorizes HHSC or DADS to charge a reasonable fee for printing the information. The bill requires HHSC to make the required long-term care consumer information available through the Internet not later than January 1, 2010. The bill requires HHSC, in developing the required information, to incorporate long-term care provider quality information reported through the DADS Internet site, as well as other appropriate available information concerning the quality of services provided through long-term care service delivery programs operated by DADS.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1453 differs from the original by removing information about the medical loss ratio for each issuer from the information relating to the Medicaid Star + Plus Pilot program required to be included on the Health and Human Services Commission (HHSC) website and instead requires the information to include a summary of the financial statistical report outlining outcome-based performance measures and incentives for value-based contracts. The substitute differs from the original by removing the definition of "medical loss ratio" as meaning direct losses incurred by a participating plan issuer divided by direct premiums earned by that issuer as determined by rule of the executive commissioner of HHSC. The substitute differs from the original by removing the requirement that medical loss ratio information be updated on a quarterly basis.