

By: England

H.B. No. 989

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prior authorization for certain medical devices
3 provided through the medical assistance program.

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 531.076 to read as follows:

7 Sec. 531.076. PRIOR AUTHORIZATION FOR CERTAIN IMPLANTABLE
8 DEVICES PROHIBITED. Notwithstanding Section 531.075, the
9 commission may not require prior authorization under the Medicaid
10 program for replacement or revision of an implantable infusion pump
11 or an implantable electrical nerve stimulator.

12 SECTION 2. If before implementing any provision of this Act
13 a state agency determines that a waiver or authorization from a
14 federal agency is necessary for implementation of that provision,
15 the agency affected by the provision shall request the waiver or
16 authorization and may delay implementing that provision until the
17 waiver or authorization is granted.

18 SECTION 3. This Act takes effect September 1, 2009.