

By: Naishtat

H.B. No. 1453

A BILL TO BE ENTITLED

AN ACT

relating to long-term care consumer information made available through the Internet.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0318 to read as follows:

Sec. 531.0318. LONG-TERM CARE CONSUMER INFORMATION MADE AVAILABLE THROUGH THE INTERNET. (a) The Internet site maintained under Section 531.0317 must include information for consumers concerning long-term care services that complies with this section. The Internet site maintained by the Department of Aging and Disability Services must also include, or provide a link to, the information required by this section.

(b) The information for consumers required by this section must:

(1) be presented in a manner that is easily accessible to, and understandable by, a consumer; and

(2) allow a consumer to make informed choices concerning long-term care services and include:

(A) an explanation of the manner in which long-term care service delivery is administered in different counties through different programs operated by the commission and by the Department of Aging and Disability Services, so that an individual can easily understand the service options available in

1 the area in which that individual lives; and

2 (B) for the Medicaid Star + Plus pilot program,
3 information that allows a consumer to evaluate the performance of
4 each participating plan issuer, including for each issuer, in an
5 accessible format such as a table:

6 (i) the enrollment in each county;

7 (ii) additional "value-added" services
8 provided;

9 (iii) the medical loss ratio, together with
10 a concise explanation of the meaning of the term in accordance with
11 Subsection (c);

12 (iv) complaint information;

13 (v) any sanction or penalty imposed by any
14 state agency, including a sanction or penalty imposed by the
15 commission or the Texas Department of Insurance;

16 (vi) information concerning consumer
17 satisfaction; and

18 (vii) other data, including relevant data
19 from reports of external quality review organizations, that may be
20 used by the consumer to evaluate the quality of the services
21 provided.

22 (c) For purposes of Subsection (b), "medical loss ratio"
23 means direct losses incurred by a participating plan issuer divided
24 by direct premiums earned by that issuer as determined under rules
25 adopted by the executive commissioner. The medical loss ratio must
26 be updated on a quarterly basis.

27 (d) In addition to providing the information required by

1 this section through the Internet, the commission or the Department
2 of Aging and Disability Services shall, on request by a consumer
3 without Internet access, provide the consumer with a printed copy
4 of the information from the website. The commission or department
5 may charge a reasonable fee for printing the information.

6 SECTION 2. (a) Not later than January 1, 2010, the Health
7 and Human Services Commission shall make the information required
8 by Section 531.0318, Government Code, as added by this Act,
9 available through the Internet.

10 (b) In developing the information required to be made
11 available under this Act, the Health and Human Services Commission
12 shall incorporate long-term care provider quality information
13 reported through the Department of Aging and Disability Services
14 Internet site, as well as other appropriate available information
15 concerning the quality of services provided through the long-term
16 care service delivery programs operated by that department.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2009.