

By: Pitts, Guillen

H.B. No. 1487

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the alignment of certain Medicaid procedures regarding  
3 written orders for diabetic equipment and supplies with comparable  
4 Medicare written order procedures.

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

6 SECTION 1. Subchapter B, Chapter 531, Government Code, is  
7 amended by adding Section 531.099 to read as follows:

8 Sec. 531.099. ALIGNMENT OF MEDICAID DIABETIC EQUIPMENT AND  
9 SUPPLIES WRITTEN ORDER PROCEDURES WITH MEDICARE DIABETIC EQUIPMENT  
10 AND SUPPLIES WRITTEN ORDER PROCEDURES. (a) The commission shall  
11 review forms and requirements under the Medicaid program regarding  
12 written orders for diabetic equipment and supplies to identify  
13 variations between permissible ordering procedures under that  
14 program and ordering procedures available to providers under the  
15 Medicare program.

16 (b) To the extent practicable, and in conformity with  
17 Chapter 157, Occupations Code, and Chapter 483, Health and Safety  
18 Code, after conducting a review under Subsection (a) the commission  
19 shall modify only forms, rules, and procedures applicable to orders  
20 for diabetic equipment and supplies under the Medicaid program to  
21 provide for an ordering system that is comparable to the ordering  
22 system for diabetic equipment and supplies under the Medicare  
23 program. The ordering system must permit a diabetic equipment or  
24 supplies supplier to complete the forms by hand or to enter by

1 electronic format medical information or supply orders into any  
2 form as necessary to provide the information required to dispense  
3 diabetic equipment or supplies.

4 (c) A provider of diabetic equipment and supplies may bill  
5 and collect payment for the provider's services if the provider has  
6 a copy of the form that meets the requirements of Subsection (b) and  
7 that is signed by a medical practitioner licensed in this state to  
8 treat diabetic patients. Additional documentation may not be  
9 required.

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

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