

1-1 By: Pitts, Guillen (Senate Sponsor - Nelson) H.B. No. 1487
1-2 (In the Senate - Received from the House May 4, 2009;
1-3 May 5, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 8, 2009, reported favorably by the
1-5 following vote: Yeas 8, Nays 0; May 8, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the alignment of certain Medicaid procedures regarding
1-9 written orders for diabetic equipment and supplies with comparable
1-10 Medicare written order procedures.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter B, Chapter 531, Government Code, is
1-13 amended by adding Section 531.099 to read as follows:

1-14 Sec. 531.099. ALIGNMENT OF MEDICAID DIABETIC EQUIPMENT AND
1-15 SUPPLIES WRITTEN ORDER PROCEDURES WITH MEDICARE DIABETIC EQUIPMENT
1-16 AND SUPPLIES WRITTEN ORDER PROCEDURES. (a) The commission shall
1-17 review forms and requirements under the Medicaid program regarding
1-18 written orders for diabetic equipment and supplies to identify
1-19 variations between permissible ordering procedures under that
1-20 program and ordering procedures available to providers under the
1-21 Medicare program.

1-22 (b) To the extent practicable, and in conformity with
1-23 Chapter 157, Occupations Code, and Chapter 483, Health and Safety
1-24 Code, after conducting a review under Subsection (a) the commission
1-25 shall modify only forms, rules, and procedures applicable to orders
1-26 for diabetic equipment and supplies under the Medicaid program to
1-27 provide for an ordering system that is comparable to the ordering
1-28 system for diabetic equipment and supplies under the Medicare
1-29 program. The ordering system must permit a diabetic equipment or
1-30 supplies supplier to complete the forms by hand or to enter by
1-31 electronic format medical information or supply orders into any
1-32 form as necessary to provide the information required to dispense
1-33 diabetic equipment or supplies.

1-34 (c) A provider of diabetic equipment and supplies may bill
1-35 and collect payment for the provider's services if the provider has
1-36 a copy of the form that meets the requirements of Subsection (b) and
1-37 that is signed by a medical practitioner licensed in this state to
1-38 treat diabetic patients. Additional documentation may not be
1-39 required.

1-40 SECTION 2. If before implementing any provision of this Act
1-41 a state agency determines that a waiver or authorization from a
1-42 federal agency is necessary for implementation of that provision,
1-43 the agency affected by the provision shall request the waiver or
1-44 authorization and may delay implementing that provision until the
1-45 waiver or authorization is granted.

1-46 SECTION 3. This Act takes effect September 1, 2009.

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