

AN ACT

relating to a diabetes self-management training pilot program under the state Medicaid program.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0319 to read as follows:

Sec. 531.0319. DIABETES SELF-MANAGEMENT TRAINING PILOT PROGRAM. (a) Notwithstanding Section 32.057, Human Resources Code, or Section 533.009 and to the extent allowed by federal law, the commission shall establish a pilot program to provide diabetes self-management training services to selected Medicaid recipients.

(b) The commission may select a person to participate in the pilot program if the person is:

(1) a recipient of Medicaid under the fee-for-service or primary care case management delivery model;

(2) diagnosed with diabetes; and

(3) enrolled in a disease management program available to Medicaid recipients.

(c) In establishing the pilot program the commission shall ensure that:

(1) either:

(A) a provider of diabetes self-management training under the program is certified to provide the training in accordance with the quality standards for diabetes self-management

1 training services described by the Medicare Benefit Policy Manual,
2 Chapter 15, Section 300, as effective on January 1, 2009; or

3 (B) a certified diabetes educator is hired to
4 provide the training;

5 (2) an assessment of a potential participant in the
6 program is conducted that includes a review of the person's medical
7 history, risk factors, health status, resource utilization,
8 knowledge and skill level, and cultural barriers to effective
9 diabetes self-management;

10 (3) a participant is offered a minimum of:

11 (A) 10 hours of initial self-management training
12 with a diabetes educator; and

13 (B) three hours of initial nutrition education
14 with a registered dietitian or with a diabetes educator if a
15 registered dietitian is not available;

16 (4) after receipt of the initial self-management
17 training and nutrition education, the participant is offered each
18 year a minimum of:

19 (A) two hours of self-management training with a
20 diabetes educator; and

21 (B) two hours of nutrition education with a
22 registered dietitian or with a diabetes educator if a registered
23 dietitian is not available;

24 (5) if diabetes self-management training is provided
25 in group sessions, the participant has direct, face-to-face
26 interaction with the diabetes educator and is offered a sufficient
27 number of individual sessions to meet the participant's cultural

1 and educational needs; and

2 (6) the participant may repeat all or part of the
3 self-management training as medically necessary, regardless of
4 whether the participant is diagnosed with a new health condition or
5 experiences a change in health status.

6 (d) The commission shall ensure that the pilot program
7 measures the progress of program participants while enrolled in the
8 program using specific health outcomes for diabetes disease
9 management.

10 (e) Information collected by the commission during the
11 pilot program is confidential and may be disclosed only as
12 authorized by this section in a manner that prevents disclosure of
13 individually identifiable information.

14 (f) Not later than December 1, 2012, the commission shall
15 submit a report to the governor, lieutenant governor, speaker of
16 the house of representatives, standing committees of the
17 legislature with appropriate subject matter jurisdiction, and
18 Texas Diabetes Council regarding:

19 (1) the data and outcomes that result from the
20 diabetes self-management training pilot program; and

21 (2) any other relevant information as determined by
22 the commission.

23 (g) This section expires September 1, 2013.

24 SECTION 2. If before implementing any provision of this Act
25 a state agency determines that a waiver or authorization from a
26 federal agency is necessary for implementation of that provision,
27 the agency affected by the provision shall request the waiver or

1 authorization and may delay implementing that provision until the
2 waiver or authorization is granted.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 1990 was passed by the House on April 23, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1990 was passed by the Senate on May 13, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor