

By: Turner of Harris, Allen, Crabb, Marquez

H.B. No. 2163

A BILL TO BE ENTITLED

AN ACT

relating to a study regarding the provision of certain medications through the Medicaid vendor drug program to children younger than 16 years of age.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0731 to read as follows:

Sec. 531.0731. STUDY REGARDING THE PROVISION OF CERTAIN MEDICATION TO CHILDREN. (a) The commission shall conduct a study to determine the appropriateness and safety of providing antipsychotic or neuroleptic medication through the Medicaid vendor drug program to children younger than 16 years of age.

(b) The study conducted under Subsection (a) must consider the following factors relevant to the appropriateness and safety of providing the medications to children:

(1) the physical and psychological medical diagnosis of a child's condition;

(2) whether the United States Food and Drug Administration has approved a medication for use by a child of a certain age;

(3) whether a child has successfully taken a medication previously;

(4) access to quality medical care for a child receiving benefits under the program;

1 (5) the standard of care in the medical profession
2 regarding the provision of such medications to a child; and

3 (6) any other factor the commission considers
4 relevant.

5 (c) Not later than November 10, 2010, the executive
6 commissioner shall submit a report containing the results of the
7 study conducted under Subsection (a) to the governor, the
8 lieutenant governor, the speaker of the house of representatives,
9 and the chairs of the Senate Committee on Health and Human Services
10 and the House Committee on Public Health.

11 SECTION 2. This Act takes effect September 1, 2009.