

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.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2163 was passed by the House on May 15, 2009, by the following vote: Yeas 135, Nays 4, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2163 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2163 on May 31, 2009, by the following vote: Yeas 147, Nays 0, 1 present, not voting.

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Chief Clerk of the House

H.B. No. 2163

I certify that H.B. No. 2163 was passed by the Senate, with amendments, on May 25, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2163 on May 31, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor