

1-1 By: Turner of Harris, et al. H.B. No. 2163
1-2 (Senate Sponsor - Uresti)
1-3 (In the Senate - Received from the House May 18, 2009;
1-4 May 19, 2009, read first time and referred to Committee on Health
1-5 and Human Services; May 21, 2009, reported favorably by the
1-6 following vote: Yeas 9, Nays 0; May 21, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to a study regarding the provision of certain medications
1-10 through the Medicaid vendor drug program to children younger than
1-11 16 years of age.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 531, Government Code, is
1-14 amended by adding Section 531.0731 to read as follows:

1-15 Sec. 531.0731. STUDY REGARDING THE PROVISION OF CERTAIN
1-16 MEDICATION TO CHILDREN. (a) The commission shall conduct a study
1-17 to determine the appropriateness and safety of providing
1-18 antipsychotic or neuroleptic medication through the Medicaid
1-19 vendor drug program to children younger than 16 years of age.

1-20 (b) The study conducted under Subsection (a) must consider
1-21 the following factors relevant to the appropriateness and safety of
1-22 providing the medications to children:

1-23 (1) the physical and psychological medical diagnosis
1-24 of a child's condition;

1-25 (2) whether the United States Food and Drug
1-26 Administration has approved a medication for use by a child of a
1-27 certain age;

1-28 (3) whether a child has successfully taken a
1-29 medication previously;

1-30 (4) access to quality medical care for a child
1-31 receiving benefits under the program;

1-32 (5) the standard of care in the medical profession
1-33 regarding the provision of such medications to a child; and

1-34 (6) any other factor the commission considers
1-35 relevant.

1-36 (c) Not later than November 10, 2010, the executive
1-37 commissioner shall submit a report containing the results of the
1-38 study conducted under Subsection (a) to the governor, the
1-39 lieutenant governor, the speaker of the house of representatives,
1-40 and the chairs of the Senate Committee on Health and Human Services
1-41 and the House Committee on Public Health.

1-42 SECTION 2. This Act takes effect September 1, 2009.

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