

By: Gonzales

H.B. No. 3408

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a county's liability for the costs of basic health care
3 services.

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

5 SECTION 1. Section 61.028, Health and Safety Code, is
6 amended to read as follows:

7 Sec. 61.028. BASIC HEALTH CARE SERVICES. (a) A county
8 shall, in accordance with department rules adopted under Section
9 61.006, provide the following basic health care services:

10 (1) primary and preventative services designed to meet
11 the needs of the community, including:

12 (A) immunizations;

13 (B) medical screening services; and

14 (C) annual physical examinations;

15 (2) inpatient and outpatient hospital services;

16 (3) rural health clinics;

17 (4) laboratory and X-ray services;

18 (5) family planning services;

19 (6) physician services;

20 (7) payment for not more than three prescription drugs
21 a month; ~~and~~

22 (8) skilled nursing facility services, regardless of
23 the patient's age;

24 (9) ambulatory surgical center services;

- 1 (10) diabetic and colostomy medical supplies and
2 equipment;
3 (11) durable medical equipment;
4 (12) home and community health care services;
5 (13) social work services;
6 (14) psychological counseling services;
7 (15) services provided by physician assistants, nurse
8 practitioners, certified nurse midwives, clinical nurse
9 specialists, and certified registered nurse anesthetists;
10 (16) dental care;
11 (17) vision care, including eyeglasses;
12 (18) services provided by federally qualified health
13 centers, as defined by 42 U.S.C. Section 1396d(1)(2)(B);
14 (19) emergency medical services; and
15 (20) any other appropriate health care service
16 identified by board rule that may be determined to be
17 cost-effective.

18 (b) The county may provide additional health care services,
19 but may not credit the assistance toward eligibility for state
20 assistance, except as provided by Subsection (c) [~~Section 61.0285~~].

21 (c) A county must notify the department of the county's
22 intent to provide services other than the services listed under
23 Subsection (a). If the services are approved by the department
24 under Section 61.006, or if the department fails to notify the
25 county of the department's disapproval before the 31st day after
26 the date the county notifies the department of its intent to provide
27 the services, the county may credit the services toward eligibility

1 for state assistance under this subchapter.

2 SECTION 2. Section 61.0285, Health and Safety Code, is
3 repealed.

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