

By: Kolkhorst

H.B. No. 3665

A BILL TO BE ENTITLED

AN ACT

relating to the review of a Medicaid recipient's electronic medication history by a Medicaid provider.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0961 to read as follows:

Sec. 531.0961. MEDICAID PROVIDER REVIEW OF ELECTRONIC MEDICATION HISTORY. (a) A physician or other health care provider participating in the state Medicaid program, before providing a health care service or procedure to a Medicaid recipient, shall review the recipient's prescription and nonprescription medication history included in:

(1) a health passport provided to the recipient under Section 266.006, Family Code, or any other law; or

(2) any other electronic health records maintained under the program with respect to the recipient and to which the provider has access.

(b) The executive commissioner shall adopt rules to ensure that each physician or other health care provider participating in the state Medicaid program complies with this section.

SECTION 2. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, 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 September 1, 2009.