

By: Giddings

H.B. No. 4681

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the active seeking of waivers of federal requirements  
3 and modifications of federal regulations for federal Medicaid  
4 reimbursement for certain mental health evaluation and treatment  
5 facilities.

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

7 SECTION 1. Chapter 533, Health and Safety Code, is amended  
8 by adding Subsection (f) to read as follows:

9 Sec. 533.001. GIFTS AND GRANTS. (a) The department may  
10 negotiate with a federal agency to obtain grants to assist in  
11 expanding and improving mental health and mental retardation  
12 services in this state.

13 (b) The department may accept gifts and grants of money,  
14 personal property, and real property to expand and improve the  
15 mental health and mental retardation services available to the  
16 people of this state.

17 (c) The department may accept gifts and grants of money,  
18 personal property, and real property on behalf of a department  
19 facility to expand and improve the mental health or mental  
20 retardation services available at the facility.

21 (d) The department shall use a gift or grant made for a  
22 specific purpose in accordance with the purpose expressly  
23 prescribed by the donor. The department may decline the gift or  
24 grant if the department determines that it cannot be economically

1 used for that purpose.

2 (e) The department shall keep a record of each gift or grant  
3 in the department's central office in the city of Austin.

4 (f) The department, in cooperation with the state  
5 congressional delegation, shall actively seek waivers of federal  
6 requirements and such modifications of federal regulations as are  
7 necessary to allow federal medicaid reimbursement for services  
8 provided by free-standing evaluation and treatment facilities  
9 certified under Subtitle C, Title 7 of the this Code. The  
10 department shall periodically report its efforts to the appropriate  
11 committees of the senate and the house of representatives.

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