

1-1 By: Nelson S.B. No. 287
1-2 (In the Senate - Filed November 12, 2008; February 11, 2009,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 2, 2009, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; March 2, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the use of electronic prescribing data transmission
1-9 systems under the state Medicaid program.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 531.02411, Government Code, is amended
1-12 to read as follows:

1-13 Sec. 531.02411. STREAMLINING ADMINISTRATIVE PROCESSES.

1-14 (a) The commission shall make every effort using the commission's
1-15 existing resources to reduce the paperwork and other administrative
1-16 burdens placed on Medicaid recipients and providers and other
1-17 participants in the Medicaid program and shall use technology and
1-18 efficient business practices to decrease those burdens. In
1-19 addition, the commission shall make every effort to improve the
1-20 business practices associated with the administration of the
1-21 Medicaid program by any method the commission determines is
1-22 cost-effective, including:

1-23 (1) expanding the utilization of the electronic claims
1-24 payment system;

1-25 (2) developing an Internet portal system for prior
1-26 authorization requests;

1-27 (3) encouraging Medicaid providers to submit their
1-28 program participation applications electronically;

1-29 (4) ensuring that the Medicaid provider application is
1-30 easy to locate on the Internet so that providers may conveniently
1-31 apply to the program;

1-32 (5) working with federal partners to take advantage of
1-33 every opportunity to maximize additional federal funding for
1-34 technology in the Medicaid program; and

1-35 (6) encouraging the increased use of medical
1-36 technology by providers, including increasing their use of:

1-37 (A) electronic communications between patients
1-38 and their physicians or other health care providers;

1-39 (B) electronic prescribing tools that provide
1-40 up-to-date payer formulary information at the time a physician or
1-41 other health care practitioner writes a prescription and that
1-42 support the electronic transmission of a prescription;

1-43 (C) ambulatory computerized order entry systems
1-44 that facilitate physician and other health care practitioner orders
1-45 at the point of care for medications and laboratory and
1-46 radiological tests;

1-47 (D) inpatient computerized order entry systems
1-48 to reduce errors, improve health care quality, and lower costs in a
1-49 hospital setting;

1-50 (E) regional data-sharing to coordinate patient
1-51 care across a community for patients who are treated by multiple
1-52 providers; and

1-53 (F) electronic intensive care unit technology to
1-54 allow physicians to fully monitor hospital patients remotely.

1-55 (b) The commission shall develop and implement a plan
1-56 designed to encourage the increased use by Medicaid providers of
1-57 the medical technology described by Subsection (a)(6)(B). The plan
1-58 must include a goal of achieving by September 1, 2014, a specified
1-59 percentage increase in the use of electronic prescribing by
1-60 Medicaid providers. Not later than January 1, 2010, the commission
1-61 shall submit a report to the legislature describing the plan
1-62 developed by the commission in accordance with this subsection.
1-63 Not later than January 1, 2011, and January 1, 2013, the commission
1-64 shall submit a report to the legislature regarding the

2-1 implementation and results of the plan. This subsection expires
2-2 September 1, 2014.

2-3 SECTION 2. If before implementing any provision of this Act
2-4 a state agency determines that a waiver or authorization from a
2-5 federal agency is necessary for implementation of that provision,
2-6 the agency affected by the provision shall request the waiver or
2-7 authorization and may delay implementing that provision until the
2-8 waiver or authorization is granted.

2-9 SECTION 3. This Act takes effect immediately if it receives
2-10 a vote of two-thirds of all the members elected to each house, as
2-11 provided by Section 39, Article III, Texas Constitution. If this
2-12 Act does not receive the vote necessary for immediate effect, this
2-13 Act takes effect September 1, 2009.

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