

By: Uresti

S.B. No. 1721

A BILL TO BE ENTITLED

AN ACT

relating to funding for nursing home facilities.

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

SECTION 1. Section 32.028, Human Resources Code, is amended by adding Subsection (q) to read as follows:

(q) Subject to Subsection (h) and notwithstanding any other law, rules and standards governing the determination of base rates paid for nursing home services must ensure that providers of those services are reimbursed at a rate that maximizes federal matching funding and ensures that the demand for nursing home facilities is met in locations throughout this state.

SECTION 2. The legislature finds that the need for nursing home facilities in this state is increasing while the number of facilities are decreasing due to inadequate funding. Further, the lack of adequate facilities in some areas of the state may force individuals needing nursing home care to move to a facility that is far away from family.

SECTION 3. (a) The Department of State Health Services shall study the problem of funding of nursing home facilities in this state. The study shall address all available sources of funding from state and federal resources and determine whether the state is taking advantage of all federal funding for nursing homes for which the state is eligible.

(b) The Department of State Health Services shall identify

1 strategies and make recommendations to maximize available funding
2 for nursing home facilities in this state.

3 SECTION 4. Not later than December 1, 2010, the Department
4 of State Health Services shall submit a report to the legislature on
5 the study conducted under this Act.

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

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