

By: Hinojosa

S.B. No. 1906

A BILL TO BE ENTITLED

AN ACT

relating to reports on expenditures of hospital upper payment limit supplemental payment program money.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0991 to read as follows:

Sec. 531.0991. REPORTS ON UPPER PAYMENT LIMIT MONEY.

(a) Not later than the first day of the second month following each calendar quarter, each hospital in the state that receives from the state federal money under the hospital upper payment limit supplemental payment program, other than money provided through the health opportunity pool trust fund established under Section 531.503, shall submit a report to the commission that, for the previous calendar quarter, states the hospital's aggregated expenditures of that money that were health care related and the hospital's aggregated expenditures of that money that were non-health care related.

(b) Not later than the first day of the second month following each calendar quarter, each private entity that administers a hospital upper payment limit supplemental payment program for a hospital or county or other governmental entity that receives money from this state under that program shall submit a report to the commission that, for the previous calendar quarter, states the administrative and legal fees charged by the private

1 entity out of all upper payment limit money.

2 (c) Not later than December 1 of each year, the commission  
3 shall provide to the standing committees of the senate and house of  
4 representatives having primary jurisdiction of health and human  
5 services a report that:

6 (1) is based on the reports submitted by hospitals and  
7 private entities under Subsections (a) and (b) during the previous  
8 12-month period;

9 (2) analyzes the percentage of federal upper payment  
10 limit supplemental payment program money paid to those hospitals  
11 that is used for health care related purposes and the percentage  
12 that is used for non-health care related purposes; and

13 (3) analyzes the percentage of federal upper payment  
14 limit supplemental payment program money that is used for  
15 administrative and legal fees by those private entities.

16 (d) The executive commissioner shall adopt rules as  
17 necessary that specify for purposes of this section the types of  
18 expenditures by hospitals that are health care related and the  
19 types of expenditures that are non-health care related.

20 SECTION 2. Not later than February 1, 2010, each hospital  
21 and private entity to which Section 531.0991, Government Code, as  
22 added by this Act, applies shall submit the initial reports  
23 required by that section.

24 SECTION 3. Not later than December 1, 2010, the Health and  
25 Human Services Commission shall submit the initial report required  
26 by Subsection (c), Section 531.0991, Government Code, as added by  
27 this Act.

1 SECTION 4. This Act takes effect September 1, 2009.