

## **BILL ANALYSIS**

H.B. 1264  
By: Craddick  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In Texas, orthotic and prosthetic suppliers are classified under the durable medical equipment provider type as a supplier with a specialty of providing in-home hyperalimentation supplies for purposes of enrollment as a provider under Medicaid. Hyperalimentation suppliers generally provide supplies to individuals who require long-term nutritional support. Classifying orthotics and prosthetics under this provider type is misleading and confusing to Medicaid patients, who are sometimes unable to locate an orthotist or prosthetist through a simple search of the provider registry.

H.B. 1264 intends make it easier for a Medicaid patient to locate a participating orthotist or prosthetist in order to obtain the necessary specialty care the patient requires by establishing a separate provider type for orthotic and prosthetic suppliers.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1264 amends the Human Resources Code to require the Health and Human Services Commission (HHSC), as soon as practicable after the bill's effective date, to establish a separate provider type for prosthetic and orthotic providers for purposes of enrollment as a provider of and reimbursement under Medicaid. The bill prohibits HHSC from classifying prosthetic and orthotic providers under the durable medical equipment provider type. The bill requires a state agency that is affected by a provision of the bill to request a federal waiver or authorization if the agency determines that a waiver or authorization is necessary for the implementation of the provision, and the bill authorizes the agency to delay implementation until the federal waiver or authorization is obtained.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.