

BILL ANALYSIS

Senate Research Center
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H.B. 3531
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As a result of increased exposure to emotional and psychological stress, some foster children are at risk of being placed on multiple medications concurrently and there is some concern that these children are being overmedicated.

It is important to ensure that health care providers have the information they need to appropriately prescribe medications to foster children.

H.B. 3531 seeks to address this issue by requiring the Health and Human Services Commission to implement a system to monitor the prescribing of psychotropic drugs for certain children in the conservatorship of the Department of Family and Protective Services.

H.B. 3531 amends current law relating to a system for monitoring prescriptions of certain drugs under the Medicaid program for children in foster care.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 533, Government Code, by adding Section 533.0161, as follows:

Sec. 533.0161. MONITORING OF PSYCHOTROPIC DRUG PRESCRIPTIONS FOR CERTAIN CHILDREN. (a) Defines, in this section, "psychotropic drug."

(b) Requires the Health and Human Services Commission (HHSC) to implement a system under which HHSC will use Medicaid vendor drug program data to monitor the prescribing of psychotropic drugs for children who are:

- (1) in the conservatorship of the Department of Family and Protective Services; and
- (2) enrolled in the STAR Medicaid managed care program.

(c) Requires HHSC to include as a component of the monitoring system required by this section a medical review of a prescription to which Subsection (b) applies when that review is appropriate.

SECTION 2. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2011.