

1-1 By: Kolkhorst, Walle (Senate Sponsor - Nelson) H.B. No. 2636  
1-2 (In the Senate - Received from the House May 6, 2011;  
1-3 May 9, 2011, read first time and referred to Committee on Health  
1-4 and Human Services; May 13, 2011, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 7,  
1-6 Nays 0; May 13, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2636 By: Nelson

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a council to study neonatal intensive care units.  
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-12 SECTION 1. (a) In this section:  
1-13 (1) "Council" means the Neonatal Intensive Care Unit  
1-14 Council established under this section.  
1-15 (2) "Executive commissioner" means the executive  
1-16 commissioner of the Health and Human Services Commission.  
1-17 (b) The executive commissioner shall create and appoint the  
1-18 members of the Neonatal Intensive Care Unit Council as provided by  
1-19 Subsection (d) of this section to study and make recommendations  
1-20 regarding neonatal intensive care unit operating standards and  
1-21 reimbursement through the Medicaid program for services provided to  
1-22 an infant admitted to a neonatal intensive care unit.  
1-23 (c) The council shall:  
1-24 (1) develop standards for operating a neonatal  
1-25 intensive care unit in this state;  
1-26 (2) develop an accreditation process for a neonatal  
1-27 intensive care unit to receive reimbursement for services provided  
1-28 through the Medicaid program; and  
1-29 (3) study and make recommendations regarding best  
1-30 practices and protocols to lower admissions to a neonatal intensive  
1-31 care unit.  
1-32 (d) The executive commissioner shall appoint the following  
1-33 as members of the council:  
1-34 (1) four neonatologists, at least two of whom must  
1-35 practice in a Level IIIC neonatal intensive care unit;  
1-36 (2) one general pediatrician;  
1-37 (3) two general obstetrician-gynecologists;  
1-38 (4) two maternal fetal medicine specialists;  
1-39 (5) one family practice physician who provides  
1-40 obstetrical care and practices in a rural community;  
1-41 (6) one representative from a children's hospital;  
1-42 (7) one representative from a hospital with a Level II  
1-43 neonatal intensive care unit; and  
1-44 (8) one representative from a rural hospital.  
1-45 (e) The executive commissioner shall designate a member of  
1-46 the council to serve as presiding officer. The members of the  
1-47 council shall elect any other necessary officers.  
1-48 (f) The council shall meet at the call of the executive  
1-49 commissioner.  
1-50 (g) A member of the council serves at the will of the  
1-51 executive commissioner.  
1-52 (h) A member of the council is not entitled to reimbursement  
1-53 of expenses or to compensation.  
1-54 (i) The council may accept gifts and grants from any source  
1-55 to be used to carry out a function of the council.  
1-56 (j) Not later than January 1, 2013, the council shall submit  
1-57 a report to the executive commissioner, the governor, the  
1-58 lieutenant governor, the speaker of the house of representatives,  
1-59 and the chairs of the appropriate legislative committees on its  
1-60 findings and recommendations required by this section.  
1-61 SECTION 2. Not later than December 1, 2011, the executive  
1-62 commissioner of the Health and Human Services Commission shall  
1-63 appoint the members of the Neonatal Intensive Care Unit Council as

2-1 required by Section 1 of this Act.

2-2 SECTION 3. This Act expires June 1, 2013.

2-3 SECTION 4. This Act takes effect September 1, 2011.

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