

By: Paxton

H.B. No. 3053

Substitute the following for H.B. No. 3053:

By: Hughes

C.S.H.B. No. 3053

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to efficiency in the delivery of health and human  
3 services.

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

5 SECTION 1. Subchapter B, Chapter 531, Government Code, is  
6 amended by adding Section 531.024115 to read as follows:

7 Sec. 531.024115. STREAMLINING OF FORMS AND RECORDS. (a)

8 The commission shall create any form necessary for the  
9 administration of the Medicaid program and may not contract with a  
10 health care provider to create the forms.

11 (b) The commission shall determine characteristics of  
12 cost-effective forms and procedures and use those characteristics  
13 to develop the forms under Subsection (a).

14 (c) A form developed under this section may not exceed 10  
15 pages.

16 (d) The commission shall create a database for records  
17 storage to facilitate audit procedures and reduce costs associated  
18 with records management.

19 (e) The commission shall create a portal on the commission's  
20 Internet website designed to facilitate commerce, recordkeeping,  
21 communication, and information. The portal must be designed for  
22 use by patients, physicians, nurses, commission employees, and  
23 private entities.

24 (f) The database under Subsection (d) and portal under

1 Subsection (e) must be designed to protect an individual's personal  
2 records and maintain the confidentiality of an individual's  
3 information.

4 SECTION 2. (a) Rules relating to health and human services  
5 shall be consolidated and reconsidered to increase efficiency in  
6 the provision of health and human services.

7 (b) The Health and Human Services Commission shall suspend  
8 the effective date of any rule adopted by the commission that has  
9 not taken effect on the effective date of this Act.

10 (c) The Health and Human Services Commission shall report to  
11 the executive commissioner of the commission regarding any rule  
12 described by Subsection (a) of this section that cannot be  
13 reconsidered together with an explanation of the legal reasons the  
14 rule cannot be reconsidered.

15 (d) Following consolidation and reconsideration in  
16 accordance with this section, the Health and Human Services  
17 Commission may adopt final rules on January 1 and July 1.

18 (e) The Health and Human Services Commission shall make  
19 every effort to consolidate the commission's rules regarding the  
20 Medically Dependent Children Program. In consolidating the rules,  
21 the commission must consider the needs of patients, physicians,  
22 nurses, and home health agencies.

23 (f) To the extent this section conflicts with the  
24 administrative procedure law, Chapter 2001, Government Code, this  
25 section prevails.

26 SECTION 3. The Health and Human Services Commission is not  
27 required to comply with any provision of this Act unless money is

1 available for that purpose.

2           SECTION 4. If before implementing any provision of this Act  
3 a state agency determines that a waiver or authorization from a  
4 federal agency is necessary for implementation of that provision,  
5 the agency affected by the provision shall request the waiver or  
6 authorization and may delay implementing that provision until the  
7 waiver or authorization is granted.

8           SECTION 5. This Act takes effect September 1, 2011.