

By: Alonzo

H.B. No. 3191

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the inclusion of optometrists, therapeutic
3 optometrists, and ophthalmologists in Medicaid managed care
4 provider networks providing services in the Texas-Mexico border
5 region and other regions of the state.

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

7 SECTION 1. EXPANSION OF PROVIDER NETWORKS OF MANAGED CARE
8 ORGANIZATIONS IN TEXAS-MEXICO BORDER REGION AND OTHER AREAS OF
9 STATE. Subchapter A, Chapter 533, Government Code, is amended by
10 adding Section 533.0065 to read as follows:

11 Sec. 533.0065. EYE HEALTH CARE SERVICE PROVIDERS. (a) In
12 this section, "Texas-Mexico border region" has the meaning assigned
13 by Section 2056.002.

14 (b) Subject to Section 32.047, Human Resources Code, but
15 notwithstanding any other law, the commission shall require that
16 each managed care organization that contracts with the commission
17 under any Medicaid managed care model or arrangement to provide
18 health care services to recipients in a region, including a region
19 consisting of all or part of the Texas-Mexico border region,
20 include in the organization's provider network each optometrist,
21 therapeutic optometrist, and ophthalmologist who:

22 (1) agrees to comply with the terms and conditions of
23 the organization;

24 (2) agrees to accept the prevailing provider contract

1 rate of the organization;

2 (3) agrees to abide by the standards of care required
3 by the organization; and

4 (4) has the credentials required by the organization.

5 SECTION 2. STUDY IN TEXAS-MEXICO BORDER REGION. (a) The
6 Health and Human Services Commission shall conduct a study of the
7 fiscal impact on this state of requiring each Medicaid managed care
8 organization that contracts with the commission under any Medicaid
9 managed care model or arrangement implemented under Chapter 533,
10 Government Code, to include in the organization's health care
11 provider network providing services in all or part of the
12 Texas-Mexico border region, as defined by Section 2056.002,
13 Government Code, each optometrist, therapeutic optometrist, and
14 ophthalmologist who meets the requirements under Section 533.0065,
15 Government Code, as added by this Act.

16 (b) Not later than September 1, 2016, the Health and Human
17 Services Commission shall submit to the legislature a written
18 report containing the findings of the study conducted under
19 Subsection (a) of this section and the commission's recommendations
20 regarding the requirement addressed in the study.

21 SECTION 3. CONTRACTS. (a) The Health and Human Services
22 Commission shall, in a contract between the commission and a
23 Medicaid managed care organization under Chapter 533, Government
24 Code, that is entered into or renewed on or after the effective date
25 of this Act, require that the managed care organization comply with
26 Section 533.0065, Government Code, as added by this Act.

27 (b) The Health and Human Services Commission shall seek to

1 amend each contract entered into with a Medicaid managed care
2 organization under Chapter 533, Government Code, before the
3 effective date of this Act to require those managed care
4 organizations to comply with Section 533.0065, Government Code, as
5 added by this Act. To the extent of a conflict between Section
6 533.0065, Government Code, as added by this Act, and a provision of
7 a contract with a managed care organization entered into before the
8 effective date of this Act, the contract provision prevails.

9 SECTION 4. WAIVER. If before implementing any provision of
10 this Act a state agency determines that a waiver or authorization
11 from a federal agency is necessary for implementation of that
12 provision, the agency affected by the provision shall request the
13 waiver or authorization and may delay implementing that provision
14 until the waiver or authorization is granted.

15 SECTION 5. EFFECTIVE DATE. This Act takes effect September
16 1, 2011.