

By: Shelton

H.B. No. 3279

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Santa Rosa grant program.

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

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter Q-1 to read as follows:

SUBCHAPTER Q-1. SANTA ROSA GRANT PROGRAM

Sec. 531.671. DEFINITIONS. (a) In this subchapter:

(1) "Advance directive" has the meaning assigned by Section 166.002, Health and Safety Code.

(2) "Chronic illness" means a medical condition that traditionally requires frequent use of hospital services, including:

(A) tumors of the central nervous system;

(B) trauma to the central nervous system;

(C) cerebral palsy; and

(D) multiple complications due to premature birth.

(3) "Grant program" means the Santa Rosa grant program established under this subchapter.

(4) "Hospital" means a general hospital, pediatric and adolescent hospital, or special hospital, as those terms are defined by Section 241.003, Health and Safety Code.

(5) "Palliative care" has the meaning assigned by Section 142.001, Health and Safety Code.

1 (b) The executive commissioner by rule shall define
2 "low-income" and may further define "chronic illness" for purposes
3 of this subchapter.

4 Sec. 531.672. ESTABLISHMENT OF SANTA ROSA GRANT PROGRAM.

5 The commission shall establish the Santa Rosa grant program to
6 award grants to hospitals for the purpose of:

7 (1) reducing the number of unnecessary emergency room
8 visits by chronically ill, low-income children through the
9 establishment of a primary care environment;

10 (2) decreasing the need for the long-term
11 hospitalization of chronically ill, low-income children by
12 maximizing the use of outpatient services; and

13 (3) reducing the costs associated with providing
14 medical care to chronically ill, low-income children.

15 Sec. 531.673. AWARDING OF GRANTS; ADVISORY COMMITTEE. (a)
16 Subject to Section 531.674, the executive commissioner or the
17 executive commissioner's designee shall award grants under this
18 subchapter.

19 (b) The executive commissioner may establish an advisory
20 committee to make recommendations on establishing the grant program
21 and making awards under the grant program. If the executive
22 commissioner establishes an advisory committee under this
23 subsection, the executive commissioner may appoint any of the
24 following persons to the advisory committee:

25 (1) representatives of appropriate public or private
26 entities, including state agencies concerned with health care
27 management;

- 1 (2) physicians;
- 2 (3) members of the legislature;
- 3 (4) representatives of the health insurance industry;
- 4 and
- 5 (5) any other persons the executive commissioner
- 6 determines appropriate.

7 (c) An advisory committee created under this section is not

8 subject to Chapter 2110.

9 Sec. 531.674. ELIGIBILITY. To be eligible to receive an

10 award under the grant program, a hospital must have the facilities

11 and staff necessary to provide or facilitate the provision of the

12 following services to a chronically ill child:

13 (1) a primary care physician who must, to the extent

14 possible:

15 (A) see the child at each elective visit to the

16 hospital or clinic affiliated with the hospital;

17 (B) coordinate the child's consultants,

18 medications, and hospitalizations; and

19 (C) if the child is hospitalized:

20 (i) act as the child's attending physician;

21 and

22 (ii) see the child at least five of every

23 seven days that the child is hospitalized;

24 (2) pastoral services;

25 (3) planning services related to creating an advance

26 directive;

27 (4) assistance in identifying and enrolling in

1 community-based service programs as an alternative to
2 hospitalization; and

3 (5) palliative care.

4 Sec. 531.675. ADDITIONAL CONSIDERATIONS IN AWARDING

5 GRANTS. (a) Subject to Subsection (b), the executive commissioner
6 or the executive commissioner's designee may make an award under
7 the grant program to a hospital regardless of whether the hospital
8 provides medical care to children under the Medicaid program or the
9 child health plan program, or whether the care is paid for
10 out-of-pocket or by private health insurance.

11 (b) In awarding grants, the executive commissioner or the
12 executive commissioner's designee shall give preference to
13 hospitals that:

14 (1) frequently provide services to chronically ill
15 children under the Medicaid and child health plan programs; and

16 (2) cooperate with affiliated community-based support
17 services organizations.

18 Sec. 531.676. STATE FUNDS, GIFTS, GRANTS, AND DONATIONS.

19 The commission may use appropriated funds from the state and may
20 solicit and accept gifts, grants, and donations from any public or
21 private source to fund the grant program.

22 Sec. 531.677. REPORT. The commission annually shall submit

23 to the standing committees of the senate and house of
24 representatives having primary jurisdiction over health and human
25 services, the governor, and the Legislative Budget Board a report
26 regarding the operation of the grant program. The report must
27 include:

1 (1) a summary of the grant program's impact on:

2 (A) reducing the number of unnecessary emergency
3 room visits by chronically ill, low-income children;

4 (B) decreasing the need for the long-term
5 hospitalization of chronically ill, low-income children; and

6 (C) reducing the costs associated with providing
7 medical care to chronically ill, low-income children; and

8 (2) recommendations regarding changes to the grant
9 program to achieve better outcomes.

10 Sec. 531.678. RULES. The executive commissioner may adopt
11 rules as necessary to implement this subchapter.

12 SECTION 2. (a) Not later than January 1, 2012, the Health
13 and Human Services Commission shall establish and implement the
14 Santa Rosa grant program required by Subchapter Q-1, Chapter 531,
15 Government Code, as added by this Act.

16 (b) Not later than January 1, 2013, the Health and Human
17 Services Commission shall submit the initial report required under
18 Section 531.677, Government Code, as added by this Act.

19 SECTION 3. This Act takes effect September 1, 2011.