

By: Nelson

S.B. No. 72

A BILL TO BE ENTITLED

AN ACT

relating to streamlining of and utilization management in Medicaid long-term care waiver programs.

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

SECTION 1. Section 161.077, Human Resources Code, as added by Chapter 759 (S.B. 705), Acts of the 81st Legislature, Regular Session, 2009, is redesignated as Section 161.081, Human Resources Code, and amended to read as follows:

Sec. 161.081 [~~161.077~~]. LONG-TERM CARE MEDICAID WAIVER PROGRAMS: STREAMLINING AND UNIFORMITY. (a) In this section, "Section 1915(c) waiver program" has the meaning assigned by Section 531.001, Government Code.

(b) The department, in consultation with the commission, shall streamline the administration of and delivery of services through Section 1915(c) waiver programs. In implementing this subsection, the department, subject to Subsection (c), may consider implementing the following streamlining initiatives:

(1) reducing the number of forms used in administering the programs;

(2) revising program provider manuals and training curricula;

(3) consolidating service authorization systems;

(4) eliminating any physician signature requirements the department considers unnecessary;

1 (5) standardizing individual service plan processes
2 across the programs; ~~and~~

3 (6) if feasible:

4 (A) concurrently conducting program
5 certification and billing audit and review processes and other
6 related audit and review processes;

7 (B) streamlining other billing and auditing
8 requirements;

9 (C) eliminating duplicative responsibilities
10 with respect to the coordination and oversight of individual care
11 plans for persons receiving waiver services; and

12 (D) streamlining cost reports and other cost
13 reporting processes; and

14 (7) any other initiatives that will increase
15 efficiencies in the programs.

16 (c) The department shall ensure that actions taken under
17 Subsection (b) ~~[this section]~~ do not conflict with any requirements
18 of the commission under Section 531.0218, Government Code.

19 (d) The department and the commission shall jointly explore
20 the development of uniform licensing and contracting standards that
21 would:

22 (1) apply to all contracts for the delivery of Section
23 1915(c) waiver program services;

24 (2) promote competition among providers of those
25 program services; and

26 (3) integrate with other department and commission
27 efforts to streamline and unify the administration and delivery of

1 the program services, including those required by this section or
2 Section 531.0218, Government Code.

3 SECTION 2. Subchapter D, Chapter 161, Human Resources Code,
4 is amended by adding Section 161.082 to read as follows:

5 Sec. 161.082. LONG-TERM CARE MEDICAID WAIVER PROGRAMS:
6 UTILIZATION REVIEW. (a) In this section, "Section 1915(c) waiver
7 program" has the meaning assigned by Section 531.001, Government
8 Code.

9 (b) The department shall perform utilization review of
10 services in all Section 1915(c) waiver programs. The utilization
11 review must include reviewing program recipients' levels of care
12 and any plans of care for those recipients that exceed service level
13 thresholds established in the applicable waiver program
14 guidelines.

15 SECTION 3. If before implementing any provision of this Act
16 a state agency determines that a waiver or authorization from a
17 federal agency is necessary for implementation of that provision,
18 the agency affected by the provision shall request the waiver or
19 authorization and may delay implementing that provision until the
20 waiver or authorization is granted.

21 SECTION 4. This Act takes effect September 1, 2011.