

By: Nelson

S.B. No. 72

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to streamlining of and utilization management in Medicaid  
3 long-term care waiver programs.

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

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

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

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

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

20 (2) revising program provider manuals and training  
21 curricula;

22 (3) consolidating service authorization systems;

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

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

3 (6) any other initiatives that will increase  
4 efficiencies in the programs.

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

8 (d) The department and the commission shall jointly explore  
9 the development of uniform licensing and contracting standards that  
10 would:

11 (1) apply to all contracts for the delivery of Section  
12 1915(c) waiver program services;

13 (2) promote competition among providers of those  
14 program services; and

15 (3) integrate with other department and commission  
16 efforts to streamline and unify the administration and delivery of  
17 the program services, including those required by this section or  
18 Section 531.0218, Government Code.

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

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

25 (b) The department shall perform utilization review of  
26 services in all Section 1915(c) waiver programs. The utilization  
27 review must include reviewing program recipients' levels of need

1 and any plans of care for those recipients that exceed service level  
2 thresholds established in the applicable waiver program  
3 guidelines.

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

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