

1-1 By: Fraser S.B. No. 874
1-2 (In the Senate - Filed February 23, 2011; March 1, 2011,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 28, 2011, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; March 28, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to establishing a separate provider type for prosthetic
1-9 and orthotic providers under the medical assistance program.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 32.024, Human Resources Code, is amended
1-12 by adding Subsection (ff) to read as follows:

1-13 (ff) The department shall establish a separate provider
1-14 type for prosthetic and orthotic providers for purposes of
1-15 enrollment as a provider of and reimbursement under the medical
1-16 assistance program. The department may not classify prosthetic and
1-17 orthotic providers under the durable medical equipment provider
1-18 type.

1-19 SECTION 2. As soon as practicable after the effective date
1-20 of this Act, the Health and Human Services Commission shall
1-21 establish and implement a separate provider type for prosthetic and
1-22 orthotic providers as required by Subsection (ff), Section 32.024,
1-23 Human Resources Code, as added by this Act.

1-24 SECTION 3. If before implementing any provision of this Act
1-25 a state agency determines that a waiver or authorization from a
1-26 federal agency is necessary for implementation of that provision,
1-27 the agency affected by the provision shall request the waiver or
1-28 authorization and may delay implementing that provision until the
1-29 waiver or authorization is granted.

1-30 SECTION 4. This Act takes effect immediately if it receives
1-31 a vote of two-thirds of all the members elected to each house, as
1-32 provided by Section 39, Article III, Texas Constitution. If this
1-33 Act does not receive the vote necessary for immediate effect, this
1-34 Act takes effect September 1, 2011.

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