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S.B. No. 1220

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the advisory committee on Medicaid and child health  
3 plan program rate and expenditure disparities between the  
4 Texas-Mexico border region and other areas of the state.

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

6 SECTION 1. Subdivision (2), Subsection (a), Section  
7 531.0223, Government Code, is amended to read as follows:

8 (2) "Committee" means the advisory committee on  
9 Medicaid and child health plan program rate and expenditure  
10 [~~funding~~] disparities between the Texas-Mexico border region and  
11 other areas of the state [~~in health programs~~] appointed by the  
12 executive commissioner under this section.

13 SECTION 2. Subsections (b) through (e), (o), and (p),  
14 Section 531.0223, Government Code, are amended to read as follows:

15 (b) The executive commissioner shall appoint an advisory  
16 committee to develop a strategic plan for eliminating the  
17 disparities between the Texas-Mexico border region and other areas  
18 of the state in:

19 (1) capitation rates under Medicaid managed care and  
20 the child health plan program for services provided to persons  
21 younger than 19 years of age;

22 (2) fee-for-service per capita expenditures under the  
23 Medicaid program and the child health plan program for inpatient  
24 and outpatient hospital services for services provided to persons

1 younger than 19 years of age; and

2 (3) total professional services expenditures per  
3 Medicaid recipient younger than 19 years of age or per child  
4 enrolled in the child health plan program.

5 (c) Periodically the committee shall perform the research  
6 necessary to analyze and compare the rates and expenditures  
7 described by Subsection (b) and, not later than the date specified  
8 by the executive commissioner, produce a report based on the  
9 results of that analysis and comparison.

10 (d) The committee shall, as part of the report required by  
11 Subsection (c), make recommendations to the executive commissioner  
12 for addressing the problems created by disparities documented in  
13 the report, including recommendations for allocation of funds.

14 (e) The executive commissioner shall appoint nine members  
15 to the advisory committee in a manner that ensures that the  
16 committee:

17 (1) represents the spectrum of geographic areas  
18 included in the Texas-Mexico border region;

19 (2) includes persons who are knowledgeable regarding  
20 the Medicaid program, including Medicaid managed care, and the  
21 child health plan program; and

22 (3) represents the interests of physicians,  
23 hospitals, patients, managed care organizations, state agencies  
24 involved in the management and delivery of medical resources of any  
25 kind, affected communities, and other areas of the state.

26 (o) The commission shall [~~contract with a public university~~  
27 ~~to~~]:

1           (1) measure changes occurring from September 1, 2002  
2 [~~2001~~], to August 31, 2014 [~~2004~~], in the number of health care  
3 providers participating in the Medicaid program or the child health  
4 plan program in the Texas-Mexico border region and resulting  
5 effects on consumer access to health care and consumer utilization;

6           (2) determine:

7                 (A) the effects, if any, of the changes in rates  
8 and expenditures required by Subsection (k); and

9                 (B) if funding available and used for changes in  
10 rates and expenditures was sufficient to produce measurable  
11 effects;

12           (3) make a recommendation regarding whether Medicaid  
13 rate increases should be expanded to include Medicaid services  
14 provided to adults in the Texas-Mexico border region; and

15           (4) not later than December 1, 2014 [~~2004~~], submit a  
16 report to the legislature.

17           (p) This section expires September 1, 2015 [~~2011~~].

18           SECTION 3. The advisory committee on Medicaid and child  
19 health plan program rate and expenditure disparities between the  
20 Texas-Mexico border region and other areas of the state is  
21 re-created in accordance with Section 531.0223, Government Code, as  
22 amended by this Act. Not later than December 1, 2011, the executive  
23 commissioner of the Health and Human Services Commission shall  
24 appoint the members of the advisory committee as required by that  
25 section.

26           SECTION 4. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect on the 91st day after the last day of the  
4 legislative session.