

SENATE AMENDMENTS

2nd Printing

By: Kolkhorst, Walle

H.B. No. 2636

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a commission to study neonatal intensive care units.

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

4 SECTION 1. (a) In this section:

5 (1) "Commission" means the Neonatal Intensive Care
6 Unit Commission established under this section.

7 (2) "Executive commissioner" means the executive
8 commissioner of the Health and Human Services Commission.

9 (b) The executive commissioner shall create and appoint the
10 members of the Neonatal Intensive Care Unit Commission as provided
11 by Subsection (d) of this section to study and make recommendations
12 regarding neonatal intensive care unit operating standards and
13 reimbursement through the Medicaid program for services provided to
14 an infant admitted to a neonatal intensive care unit.

15 (c) The commission shall:

16 (1) develop standards for operating a neonatal
17 intensive care unit in this state;

18 (2) develop an accreditation process for a neonatal
19 intensive care unit to receive reimbursement for services provided
20 through the Medicaid program; and

21 (3) study and make recommendations regarding best
22 practices and protocols to lower admissions to a neonatal intensive
23 care unit.

24 (d) The executive commissioner shall appoint the following

1 as members of the commission:

2 (1) four neonatologists, at least two of whom must
3 practice in a Level IIIC neonatal intensive care unit;

4 (2) one general pediatrician;

5 (3) two general obstetrician-gynecologists;

6 (4) two maternal fetal medicine specialists;

7 (5) one family practice physician who provides
8 obstetrical care and practices in a rural community;

9 (6) one representative from a children's hospital;

10 (7) one representative from a hospital with a Level II
11 neonatal intensive care unit; and

12 (8) one representative from a rural hospital.

13 (e) The executive commissioner shall designate a member of
14 the commission to serve as presiding officer. The members of the
15 commission shall elect any other necessary officers.

16 (f) The commission shall meet at the call of the executive
17 commissioner.

18 (g) A member of the commission serves at the will of the
19 executive commissioner.

20 (h) A member of the commission is not entitled to
21 reimbursement of expenses or to compensation.

22 (i) The commission may accept gifts and grants from any
23 source to be used to carry out a function of the commission.

24 (j) Not later than January 1, 2013, the commission shall
25 submit a report to the executive commissioner, the governor, the
26 lieutenant governor, the speaker of the house of representatives,
27 and the chairs of the appropriate legislative committees on its

1 findings and recommendations required by this section.

2 SECTION 2. Not later than December 1, 2011, the executive
3 commissioner of the Health and Human Services Commission shall
4 appoint the members of the Neonatal Intensive Care Unit Commission
5 as required by Section 1 of this Act.

6 SECTION 3. This Act expires June 1, 2013.

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

ADOPTED

MAY 24 2011

Atty. Gen.
Secretary of the Senate

By: KOLKHORST

H.B. No. 2636

Substitute the following for H.B. No. 2636:

By: *James Nelson*

C.S. H. B. No. 2636

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a council to study neonatal intensive care units.

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

4 SECTION 1. (a) In this section:

5 (1) "Council" means the Neonatal Intensive Care Unit
6 Council established under this section.

7 (2) "Executive commissioner" means the executive
8 commissioner of the Health and Human Services Commission.

9 (b) The executive commissioner shall create and appoint the
10 members of the Neonatal Intensive Care Unit Council as provided by
11 Subsection (d) of this section to study and make recommendations
12 regarding neonatal intensive care unit operating standards and
13 reimbursement through the Medicaid program for services provided to
14 an infant admitted to a neonatal intensive care unit.

15 (c) The council shall:

16 (1) develop standards for operating a neonatal
17 intensive care unit in this state;

18 (2) develop an accreditation process for a neonatal
19 intensive care unit to receive reimbursement for services provided
20 through the Medicaid program; and

21 (3) study and make recommendations regarding best
22 practices and protocols to lower admissions to a neonatal intensive
23 care unit.

24 (d) The executive commissioner shall appoint the following

1 as members of the council:

2 (1) four neonatologists, at least two of whom must
3 practice in a Level IIIC neonatal intensive care unit;

4 (2) one general pediatrician;

5 (3) two general obstetrician-gynecologists;

6 (4) two maternal fetal medicine specialists;

7 (5) one family practice physician who provides
8 obstetrical care and practices in a rural community;

9 (6) one representative from a children's hospital;

10 (7) one representative from a hospital with a Level II
11 neonatal intensive care unit; and

12 (8) one representative from a rural hospital.

13 (e) The executive commissioner shall designate a member of
14 the council to serve as presiding officer. The members of the
15 council shall elect any other necessary officers.

16 (f) The council shall meet at the call of the executive
17 commissioner.

18 (g) A member of the council serves at the will of the
19 executive commissioner.

20 (h) A member of the council is not entitled to reimbursement
21 of expenses or to compensation.

22 (i) The council may accept gifts and grants from any source
23 to be used to carry out a function of the council.

24 (j) Not later than January 1, 2013, the council shall submit
25 a report to the executive commissioner, the governor, the
26 lieutenant governor, the speaker of the house of representatives,
27 and the chairs of the appropriate legislative committees on its

1 findings and recommendations required by this section.

2 SECTION 2. Not later than December 1, 2011, the executive
3 commissioner of the Health and Human Services Commission shall
4 appoint the members of the Neonatal Intensive Care Unit Council as
5 required by Section 1 of this Act.

6 SECTION 3. This Act expires June 1, 2013.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 24, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2636 by Kolkhorst (Relating to a council to study neonatal intensive care units.), As
Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would direct the executive commissioner of the Health and Human Services Commission to create and appoint the members of the Neonatal Intensive Care Unit Council to study and make recommendations regarding neonatal intensive care unit (NICU) operating standards and reimbursement through the Medicaid program. The bill would direct the council to develop standards for operating a NICU, develop an accreditation process, and study and make recommendations regarding best practices and protocols to lower admissions to NICUs. The bill would authorize the council to accept gifts and grants from any source but would not authorize compensation or reimbursement of expenses for a member of the council.

The bill would require the council to submit a report to the executive commissioner, the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the appropriate legislative committees on its findings and recommendations.

The bill would require the executive commissioner to appoint the members of the Neonatal Intensive Care Unit Council no later than December 1, 2011.

The bill would take effect September 1, 2011.

This analysis assumes the Health and Human Services Commission could implement the provisions of the bill by utilizing existing agency resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JOB, SD, ES, CL, MB, VJC

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 13, 2011

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2636 by Kolkhorst (Relating to a council to study neonatal intensive care units.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would direct the executive commissioner of the Health and Human Services Commission to create and appoint the members of the Neonatal Intensive Care Unit Council to study and make recommendations regarding neonatal intensive care unit (NICU) operating standards and reimbursement through the Medicaid program. The bill would direct the council to develop standards for operating a NICU, develop an accreditation process, and study and make recommendations regarding best practices and protocols to lower admissions to NICUs. The bill would authorize the council to accept gifts and grants from any source but would not authorize compensation or reimbursement of expenses for a member of the council.

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Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JOB, ES, CL, MB, VJC

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 10, 2011

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2636 by Kolkhorst (Relating to a commission to study neonatal intensive care units.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would direct the executive commissioner of the Health and Human Services Commission to create and appoint the members of the Neonatal Intensive Care Unit Commission to study and make recommendations regarding neonatal intensive care unit (NICU) operating standards and reimbursement through the Medicaid program. The bill would direct the commission to develop standards for operating a NICU, develop an accreditation process, and study and make recommendations regarding best practices and protocols to lower admissions to NICUs. The bill would authorize the commission to accept gifts and grants from any source but would not authorize compensation or reimbursement of expenses for a member of the commission.

The bill would require the commission to submit a report to the executive commissioner, the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the appropriate legislative committees on its findings and recommendations.

The bill would require the executive commissioner to appoint the members of the Neonatal Intensive Care Unit Commission no later than December 1, 2011.

The bill would take effect September 1, 2011.

This analysis assumes the Health and Human Services Commission could implement the provisions of the bill by utilizing existing agency resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JOB, ES, CL, MB, VJC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 18, 2011

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2636 by Kolkhorst (Relating to a commission to study neonatal intensive care units.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would direct the executive commissioner of the Health and Human Services Commission to create and appoint the members of the Neonatal Intensive Care Unit Commission to study and make recommendations regarding neonatal intensive care unit (NICU) operating standards and reimbursement through the Medicaid program. The bill would direct the commission to develop standards for operating a NICU, develop an accreditation process, and study and make recommendations regarding best practices and protocols to lower admissions to NICUs. The bill would authorize the commission to accept gifts and grants from any source but would not authorize compensation or reimbursement of expenses for a member of the commission.

The bill would require the commission to submit a report to the executive commissioner, the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the appropriate legislative committees on its findings and recommendations.

The bill would require the executive commissioner to appoint the members of the Neonatal Intensive Care Unit Commission no later than December 1, 2011.

The bill would take effect September 1, 2011.

This analysis assumes the Health and Human Services Commission could implement the provisions of the bill by utilizing existing agency resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JOB, ES, CL, MB, VJC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 22, 2011

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2636 by Kolkhorst (Relating to a commission to study neonatal intensive care units.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would direct the executive commissioner of the Health and Human Services Commission to create and appoint the members of the Neonatal Intensive Care Unit Commission to study and make recommendations regarding neonatal intensive care unit (NICU) operating standards and reimbursement through the Medicaid program. The bill would direct the commission to develop standards for operating a NICU, develop an accreditation process, and study and make recommendations regarding best practices and protocols to lower admissions to NICUs. The bill would authorize the commission to accept gifts and grants from any source but would not authorize compensation or reimbursement of expenses for a member of the commission.

The bill would require the commission to submit a report to the executive commissioner, the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the appropriate legislative committees on its findings and recommendations.

The bill would require the executive commissioner to appoint the members of the Neonatal Intensive Care Unit Commission no later than December 1, 2011.

The bill would take effect September 1, 2011.

This analysis assumes the Health and Human Services Commission could implement the provisions of the bill by utilizing existing agency resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JOB, CL, MB, ES, VJC