

Amend **CSSB 8** (senate committee report) in SECTION 14 of the bill as follows:

(1) Strike Subsection (g) of the SECTION (page 7, line 62, through page 8, line 5) and reletter the subsequent subsections of the SECTION accordingly.

(2) Strike Subsections (h)(3), (4), and (5) of the SECTION (page 8, line 39, through page 9, line 7), substitute the following subdivisions, and renumber the subsequent subdivisions of Subsection (h) accordingly:

(3) The legislature declares that a rule or policy adopted by the Health and Human Services Commission before the effective date of this Act to require that, in order for a Medicaid provider to be reimbursed for services provided to a child under the early and periodic screening, diagnosis, and treatment program or the medical transportation program, the child must be accompanied by the child's parent or guardian or another adult whom the child's parent or guardian has authorized to accompany the child is conclusively presumed, as of the date the rule or policy was adopted, to be a valid exercise of the commission's authority and consistent with the intent of the legislature, provided that the rule or policy:

(A) was adopted pursuant to Subsection (s), Section 32.024, Human Resources Code; and

(B) prohibits the child's parent or guardian from authorizing the provider or the provider's employee or associate as an adult who may accompany the child.

(4) Subdivision (3) of this subsection does not apply to:

(A) an action or decision that was void at the time the action was taken or the decision was made;

(B) an action or decision that violates federal law or the terms of a federal waiver; or

(C) an action or decision that, under a statute of this state or the United States, was a misdemeanor or felony at the time the action was taken or the decision was made.