

By: Martinez

H.B. No. 2428

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition on delivering dental services under the
3 Medicaid program and the child health plan program through a
4 managed care model or arrangement in certain counties.

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

6 SECTION 1. Section 533.0025, Government Code, is amended by
7 adding Subsection (g) to read as follows:

8 (g) The commission may not provide medical assistance for
9 dental services under the Medicaid program through a Medicaid
10 managed care model or arrangement in Cameron County or Hidalgo
11 County.

12 SECTION 2. Subchapter D, Chapter 62, Health and Safety
13 Code, is amended by adding Section 62.162 to read as follows:

14 Sec. 62.162. DENTAL SERVICES. The commission may not
15 authorize dental services to be provided under the child health
16 plan program through a managed care model or arrangement in Cameron
17 County or Hidalgo County.

18 SECTION 3. (a) The Health and Human Services Commission
19 shall seek to amend contracts entered into with managed care
20 organizations providing dental services under the Medicaid program
21 under Chapter 533, Government Code, before the effective date of
22 this Act to comply with Section 533.0025(g), Government Code, as
23 added by this Act. To the extent of a conflict between that section
24 and a provision of a contract with a managed care organization

1 entered into before the effective date of this Act, the contract
2 provision prevails.

3 (b) The Health and Human Services Commission shall seek to
4 amend contracts entered into with managed care organizations
5 providing dental services under the child health plan program under
6 Chapter 62, Health and Safety Code, before the effective date of
7 this Act to comply with Section 62.162, Health and Safety Code, as
8 added by this Act. To the extent of a conflict between that section
9 and a provision of a contract with a managed care organization
10 entered into before the effective date of this Act, the contract
11 provision prevails.

12 SECTION 4. If before implementing any provision of this Act
13 a state agency determines that a waiver or authorization from a
14 federal agency is necessary for implementation of that provision,
15 the agency affected by the provision shall request the waiver or
16 authorization and may delay implementing that provision until the
17 waiver or authorization is granted.

18 SECTION 5. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect on the 91st day after the last day of the
23 legislative session.