

By: Carter, King of Taylor

H.B. No. 2869

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the provision of durable medical equipment and supplies  
3 under the Medicaid program.

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

5 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,  
6 is amended by adding Section 32.03141 to read as follows:

7 Sec. 32.03141. PROVISION OF DURABLE MEDICAL EQUIPMENT AND  
8 SUPPLIES. The executive commissioner of the Health and Human  
9 Services Commission shall adopt rules requiring that a provider of  
10 durable medical equipment and supplies under the medical assistance  
11 program cancel and stop delivery of an order for durable medical  
12 equipment or supplies on the request of the intended recipient of  
13 the equipment or supplies under the medical assistance program.

14 SECTION 2. If before implementing any provision of this Act  
15 a state agency determines that a waiver or authorization from a  
16 federal agency is necessary for implementation of that provision,  
17 the agency affected by the provision shall request the waiver or  
18 authorization and may delay implementing that provision until the  
19 waiver or authorization is granted.

20 SECTION 3. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2013.