

By: Naishtat

H.B. No. 3687

Substitute the following for H.B. No. 3687:

By: Cortez

C.S.H.B. No. 3687

A BILL TO BE ENTITLED

AN ACT

relating to the provision of and funding for certain primary health care services; repealing a fee.

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

SECTION 1. Sections 31.002(a)(1), (3), and (4), Health and Safety Code, are amended to read as follows:

(1) "Facility" includes an entity providing primary ~~hospital, ambulatory surgical center, public health clinic, birthing center, outpatient clinic, and community~~ health care services ~~center~~.

(3) "Other benefit" means a benefit, other than a benefit provided under this chapter, to which an individual is entitled for payment of the costs of primary health care services, including benefits available from:

(A) an insurance policy, group health plan, or prepaid medical care plan;

(B) Title XVIII, ~~or~~ XIX, or XXI of the Social Security Act (42 U.S.C. Section 1395 et seq., ~~or~~ Section 1396 et seq., or Section 1397aa et seq.); or

~~(C) [the Veterans Administration,~~

~~(D) the Civilian Health and Medical Program of the Uniformed Services,~~

~~(E) workers' compensation or any other compulsory employers' insurance program,~~

1           ~~[(F)]~~ a public program created by federal or  
2 state law, or by an ordinance or rule of a municipality or political  
3 subdivision of the state, excluding benefits created by the  
4 establishment of a municipal or county hospital, a joint  
5 municipal-county hospital, a county hospital authority, a hospital  
6 district, or the facilities of a publicly supported medical  
7 school~~;~~ ~~or~~

8           ~~[(G) a cause of action for medical, facility, or~~  
9 ~~medical transportation expenses, or a settlement or judgment based~~  
10 ~~on the cause of action, if the expenses are related to the need for~~  
11 ~~services provided under this chapter].~~

12           (4) "Primary health care services" may include  
13 ~~[includes]:~~

14           (A) a health service related to family, internal,  
15 pediatric, obstetric, or gynecological medicine that is provided by  
16 a physician, physician assistant, or advanced practice registered  
17 nurse ~~[diagnosis and treatment];~~

18           (B) diagnostic laboratory and radiological  
19 services;

20           (C) emergency medical services;

21           (D) ~~[(C)]~~ family planning services;

22           (E) ~~[(D)]~~ preventive health services, including:

23                   (i) prenatal and perinatal services;

24                   (ii) appropriate cancer screening;

25                   (iii) well-child services;

26                   (iv) immunizations against diseases that are  
27 preventable by vaccines;

1                    (v) screenings for elevated blood levels,  
2 communicable diseases, and cholesterol levels;

3                    (vi) pediatric eye, ear, and dental  
4 screenings to determine the need for vision and hearing correction  
5 and dental care; and

6                    (vii) preventive dental services;

7                    (F) [~~E~~] health education;

8                    (G) [~~F~~] laboratory, X-ray, nuclear medicine, or  
9 other appropriate diagnostic services;

10                   [~~G~~] nutrition services;

11                   [~~H~~] health screening;

12                   [~~I~~] home health care;

13                   [~~J~~] dental care;

14                   [~~K~~] transportation;

15                   [~~L~~] prescription drugs and devices and durable  
16 supplies, as appropriate;

17                   [~~M~~] environmental health services;

18                   [~~N~~] podiatry services; and

19                   (H) integrated mental health [~~O~~ social]  
20 services.

21                   SECTION 2. Sections 31.003(c), (d), (e), (f), and (g),  
22 Health and Safety Code, are amended to read as follows:

23                   (c) The department [~~If budgetary limitations exist, the~~  
24 ~~board by rule~~] shall establish a system of priorities that includes  
25 factors relating to the types of services provided, to the extent  
26 possible the statewide coverage of the services, and the  
27 [~~geographic areas covered, or classes of~~] individuals eligible for

1 services.

2 (d) The department [~~board~~] shall adopt rules under  
3 Subsection (c) relating to the services provided, to the extent  
4 possible the statewide coverage of the services, [~~geographic areas~~  
5 ~~covered~~] and the [~~classes of~~] individuals eligible for services  
6 [~~according to a statewide determination of the need for services~~].

7 (e) The department [~~board~~] shall adopt rules under  
8 Subsection (c) relating to the types of services provided according  
9 to the set of service priorities established under this subsection.  
10 Initial service priorities shall focus on the funding of, provision  
11 of, and access to:

12 (1) health services related to family, internal,  
13 pediatric, obstetric, or gynecological medicine that is provided by  
14 a physician, physician assistant, or advanced practice registered  
15 nurse [~~diagnosis and treatment~~];

16 (2) emergency medical services;

17 (3) family planning services;

18 (4) preventive health services, including  
19 immunizations;

20 (5) health education; and

21 (6) laboratory, X-ray, [~~nuclear medicine~~] or other  
22 appropriate diagnostic services.

23 (f) Except as limited by this section, the department shall  
24 develop an integrated framework for the equitable provision of  
25 services throughout the state and shall use existing public and  
26 private health [~~, transportation, and education~~] resources.

27 (g) The department shall ensure that an approved service

1 provider makes every reasonable effort to collect appropriate  
2 reimbursement for its costs in providing primary health care  
3 services to persons who are entitled to receive other benefits  
4 ~~[board should require that the services provided under this chapter~~  
5 ~~be reserved to the greatest extent possible for low-income~~  
6 ~~individuals who are not eligible for similar services through any~~  
7 ~~other publicly funded program].~~

8 SECTION 3. Section 31.012(a), Health and Safety Code, is  
9 amended to read as follows:

10 (a) The department ~~[board]~~ may authorize ~~[charge fees for~~  
11 ~~the services provided directly by the department or through]~~  
12 approved providers to charge a reasonable copayment for services  
13 provided in accordance with Subchapter D, Chapter 12.

14 SECTION 4. This Act takes effect September 1, 2013.