

By: Naishtat

H.B. No. 3687

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the provision of and funding for certain primary health
3 care services.

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

5 SECTION 1. Subdivisions (1), (3), and (4), Subsection (a),
6 Section 31.002, Health and Safety Code, are amended to read as
7 follows:

8 (1) "Facility" includes an entity providing primary [~~a~~
9 ~~hospital, ambulatory surgical center, public health clinic,~~
10 ~~birthing center, outpatient clinic, and community~~] health care
11 services [~~center~~].

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

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

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

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

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

24 [~~(E) workers' compensation or any other~~

1 ~~compulsory employers' insurance program,~~

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

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

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

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

19 (B) diagnostic laboratory and radiological
20 services;

21 (C) emergency medical services;

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

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

24 (i) prenatal and perinatal services;

25 (ii) appropriate cancer screening;

26 (iii) well-child services;

27 (iv) immunizations against diseases that

1 are preventable by vaccines;

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

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

7 (vii) preventive dental services;

8 (F) [(E)] health education;

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

11 ~~[(C) nutrition services;~~

12 ~~[(H) health screening;~~

13 ~~[(I) home health care;~~

14 ~~[(J) dental care;~~

15 ~~[(K) transportation;]~~

16 (G) [(L)] prescription drugs and devices and
17 durable supplies, as appropriate; and

18 (H) integrated mental health services

19 ~~[(M) environmental health services;~~

20 ~~[(N) podiatry services; and~~

21 ~~[(O) social services].~~

22 SECTION 2. Subsections (c), (d), (e), (f), and (g), Section
23 31.003, Health and Safety Code, are amended to read as follows:

24 (c) If budgetary limitations exist, the department ~~board~~
25 ~~by rule~~ shall establish a system of priorities relating to the
26 types of services provided~~[, geographic areas covered,]~~ or ~~classes~~
27 ~~of~~ individuals eligible for services.

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

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

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

14 (2) emergency medical services;

15 (3) family planning services;

16 (4) preventive health services, including
17 immunizations;

18 (5) health education; and

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

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

25 (g) The department shall ensure that contractors have made,
26 will make, and will continue to make every reasonable effort to
27 collect appropriate reimbursement for its costs in providing

1 primary health care services to persons who are entitled to receive
2 other benefits the [~~board should require that the services provided~~
3 ~~under this chapter be reserved to the greatest extent possible for~~
4 ~~low-income individuals who are not eligible for similar services~~
5 ~~through any other publicly funded program~~].

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

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

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