

1-1 By: Carona S.B. No. 1401
1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 25, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 25, 2013,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Nelson	X			
1-10	Deuell	X			
1-11	Huffman	X			
1-12	Nichols			X	
1-13	Schwertner	X			
1-14	Taylor	X			
1-15	Uresti			X	
1-16	West	X			
1-17	Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1401 By: Schwertner

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the eligibility of certain providers of laboratory
1-22 services to participate in programs administered by health and
1-23 human services agencies or the Health and Human Services
1-24 Commission.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subchapter B, Chapter 531, Government Code, is
1-27 amended by adding Section 531.066 to read as follows:

1-28 Sec. 531.066. PARTICIPATION OF DIAGNOSTIC LABORATORY
1-29 SERVICE PROVIDERS IN CERTAIN PROGRAMS. Notwithstanding any other
1-30 law, a diagnostic laboratory may participate as an in-state
1-31 provider under any program administered by a health and human
1-32 services agency or the commission that involves diagnostic
1-33 laboratory services, regardless of the location where any specific
1-34 service is performed or where the laboratory's facilities are
1-35 located if:

1-36 (1) the laboratory or an entity that is a parent,
1-37 subsidiary, or other affiliate of the laboratory maintains
1-38 diagnostic laboratory operations in this state;

1-39 (2) the laboratory and each entity that is a parent,
1-40 subsidiary, or other affiliate of the laboratory, individually or
1-41 collectively, employ at least 1,000 persons at places of employment
1-42 located in this state; and

1-43 (3) the laboratory is otherwise qualified to provide
1-44 the services under the program and is not prohibited from
1-45 participating as a provider under any benefits programs
1-46 administered by a health and human services agency or the
1-47 commission based on conduct that constitutes fraud, waste, or
1-48 abuse.

1-49 SECTION 2. This Act takes effect immediately if it receives
1-50 a vote of two-thirds of all the members elected to each house, as
1-51 provided by Section 39, Article III, Texas Constitution. If this
1-52 Act does not receive the vote necessary for immediate effect, this
1-53 Act takes effect September 1, 2013.

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