

By: Deuell

S.B. No. 1764

A BILL TO BE ENTITLED

AN ACT

relating to the provision of a cranial molding orthosis under the medical assistance and child health plan programs.

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

SECTION 1. Subchapter D, Chapter 62, Health and Safety Code, is amended by adding Section 62.1511 to read as follows:

Sec. 62.1511. CHILD HEALTH PLAN COVERAGE FOR CRANIAL MOLDING ORTHOSIS. (a) Subject to the requirements of this section, the child health plan must provide a cranial molding orthosis as a covered benefit for a child health plan enrollee who is at least 3 months of age but younger than 18 months of age.

(b) To qualify for coverage as a child health plan benefit, a cranial molding orthosis must be:

(1) medically necessary, as established by demonstrating that the child health plan enrollee has a cranial vault asymmetry index of at least 6.25 or a cephalic index that is at least two standard deviations above or below the age-adjusted mean for the enrollee; and

(2) used as part of:

(A) a nonsurgical treatment program if the enrollee is diagnosed with plagiocephaly, brachycephaly, or scaphocephaly; or

(B) a surgical treatment program if the cranial remolding orthosis is for postsurgical use to address additional

1 cranial deformities, including craniosynostosis.

2 SECTION 2. Section 32.024, Human Resources Code, is amended
3 by adding Subsection (kk) to read as follows:

4 (kk) Subject to the requirements of this subsection, the
5 department shall provide medical assistance for a cranial molding
6 orthosis for a child who is at least 3 months of age but younger than
7 18 months of age. The cranial molding orthosis must be:

8 (1) medically necessary, as established by
9 demonstrating that the recipient has a cranial vault asymmetry
10 index of at least 6.25 or a cephalic index that is at least two
11 standard deviations above or below the age-adjusted mean for the
12 recipient; and

13 (2) used as part of:

14 (A) a nonsurgical treatment program if the
15 recipient is diagnosed with plagiocephaly, brachycephaly, or
16 scaphocephaly; or

17 (B) a surgical treatment program if the cranial
18 remolding orthosis is for postsurgical use to address additional
19 cranial deformities, including craniosynostosis.

20 SECTION 3. If before implementing any provision of this Act
21 a state agency determines that a waiver or authorization from a
22 federal agency is necessary for implementation of that provision,
23 the agency affected by the provision shall request the waiver or
24 authorization and may delay implementing that provision until the
25 waiver or authorization is granted.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 1764

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2013.