

BILL ANALYSIS

H.B. 3672
By: Naishtat
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that an expedited process for credentialing social workers could decrease the number of children and families on waitlists for Medicaid services and increase the number of clients who receive important services. H.B. 3672 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3672 amends the Government Code to establish expedited credentialing procedures for a licensed clinical social worker who joins an established social work medical group that has a current contract in force with a managed care organization. The bill requires a licensed clinical social worker applying for expedited credentialing to be licensed in Texas by and in good standing with the Texas State Board of Social Worker Examiners, to submit all necessary documentation and other information required by the managed care organization to enable the organization to begin the credentialing process required by the organization to include a licensed clinical social worker as a provider under the organization's provider network, and to agree to comply with the terms of the managed care organization's participating provider contract currently in force with the applicant licensed clinical social worker's established social work medical group.

H.B. 3672 requires the managed care organization, on submission by the applicant licensed clinical social worker of the information required by the organization and for payment purposes only, to treat the applicant licensed clinical social worker as if the applicant were a participating provider in the organization's provider network when the applicant provides services to recipients under the managed care plan, including authorizing the applicant to collect copayments from the recipients and making payments to the applicant. The bill authorizes the managed care plan, pending approval of the application, to exclude the applicant licensed clinical social worker from the managed care plan's directory of participating licensed clinical social workers, the managed care plan's website listing of participating licensed clinical social workers, or any other listing of participating licensed clinical social workers.

H.B. 3672 authorizes the managed care organization, if on completion of the credentialing process the organization determines that the applicant licensed clinical social worker does not meet the organization's credentialing requirements, to recover from the applicant licensed

clinical social worker or the licensed clinical social worker's social work medical group an amount equal to the difference between payments for in-network benefits and out-of-network benefits and authorizes the applicant licensed clinical social worker or the licensed clinical social worker's social work medical group, under the same circumstance, to retain any copayments collected or in the process of being collected as of the date of the organization's determination. The bill establishes that a recipient under a managed care plan is not responsible and is required to be held harmless for any portion of the licensed clinical social worker's fee that is not paid or reimbursed by the recipient's managed care plan other than any cost-sharing requirement imposed under the plan. The bill establishes that a managed care organization that complies with the bill's provisions is not subject to liability for damages arising out of or in connection with, directly or indirectly, the payment by the organization of an applicant licensed clinical social worker as if the licensed clinical social worker were a participating provider in the organization's provider network.

EFFECTIVE DATE

September 1, 2015.