

By: Raymond

H.B. No. 2638

A BILL TO BE ENTITLED

AN ACT

relating to reimbursement for complex rehabilitation technology equipment providers under the medical assistance program.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.03142 to read as follows:

Sec. 32.03142. COMPLEX REHABILITATION TECHNOLOGY EQUIPMENT PROVIDERS. (a) In this section, "complex rehabilitation technology equipment" means an item of equipment that is classified on January 1, 2013, under the federal Medicare program as durable medical equipment and that is specially configured to meet an individual's specific and unique medical, physical, and functional needs and to assist the individual in performing basic and instrumental activities of daily living identified as medically necessary. The term includes:

(1) a complex rehabilitation manual or power wheelchair;

(2) an adaptive seating or positioning item;

(3) a standing frame; and

(4) a gait trainer.

(b) The department shall establish a separate provider type for complex rehabilitation technology equipment providers for purposes of enrollment as a provider and reimbursement under the medical assistance program. The department may not classify complex

1 rehabilitation technology equipment providers under the durable
2 medical equipment provider type.

3 (c) The executive commissioner of the Health and Human
4 Services Commission by rule shall adopt separate reimbursement
5 rates for the provider type established under this section. The
6 reimbursement rates must be adequate to compensate providers for
7 all services provided, including product configuration and
8 training services.

9 SECTION 2. As soon as practicable after the effective date
10 of this Act, the Health and Human Services Commission shall
11 establish and implement a separate provider type for complex
12 rehabilitation technology equipment providers, and the executive
13 commissioner of the commission shall adopt rules providing for
14 separate reimbursement rates for those providers, as required by
15 Section 32.03142, Human Resources Code, as added by this Act.

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

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2015.