

By: Lucio

S.B. No. 1382

A BILL TO BE ENTITLED

AN ACT

relating to regulation of prescribed pediatric extended care centers; amending a provision subject to a criminal penalty.

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

SECTION 1. Section 248A.051(a), Health and Safety Code, is amended to read as follows:

(a) A person may not own or operate a prescribed pediatric extended care center in this state unless the person holds a license issued under this chapter. An applicant for a prescribed pediatric extended care center license may not provide services under that license until the department issues the license.

SECTION 2. Section 248A.052, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) The department shall conduct concurrently the inspections necessary to determine if the applicant and the center meet the requirements of this chapter and the rules and standards adopted under this chapter. The department may not require that a center admit a child as a prerequisite for any inspection.

SECTION 3. The heading to Section 248A.151, Health and Safety Code, is amended to read as follows:

Sec. 248A.151. ADMISSION CRITERIA FOR MINOR CLIENT; ADULT ACCOMPANIMENT.

SECTION 4. Section 248A.151, Health and Safety Code, is amended by adding Subsection (c) to read as follows:

1 (c) A minor client's parent, legal guardian, or managing
2 conservator is not required to accompany the client when:

3 (1) the client receives services in the center,
4 including therapy services delivered in the center but billed
5 separately; or

6 (2) the center transports or provides for the
7 transport of the client to and from the center.

8 SECTION 5. As soon as practicable after the effective date
9 of this Act, the executive commissioner of the Health and Human
10 Services Commission shall establish a reimbursement rate for
11 licensed pediatric extended care centers that are enrolled in the
12 medical assistance program that, when converted to an hourly rate,
13 is not more than 70 percent of the average hourly unit rate,
14 excluding transportation costs, for private duty nursing provided
15 under the Texas Health Steps Comprehensive Care Program.

16 SECTION 6. 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 7. This Act takes effect September 1, 2015.