

By: Perry

S.B. No. 1545

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of an advisory committee to develop a
3 process for the collection of information necessary to facilitate
4 physician credentialing by Medicaid managed care organizations.

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

6 SECTION 1. Subchapter B, Chapter 531, Government Code, is
7 amended by adding Section 531.0975 to read as follows:

8 Sec. 531.0975. ADVISORY COMMITTEE ON PHYSICIAN
9 CREDENTIALING BY MEDICAID MANAGED CARE ORGANIZATIONS. (a) The
10 executive commissioner shall establish an advisory committee to
11 assist the commission in developing and maintaining a process for
12 the collection of information from physicians to facilitate the
13 performance of the credentialing and recredentialing processes by
14 Medicaid managed care organizations.

15 (b) The advisory committee shall be composed of nine members
16 appointed by the executive commissioner as follows:

17 (1) four members who are physicians;

18 (2) four members who are representatives of managed
19 care organizations; and

20 (3) one member who is a representative of the
21 commission.

22 (c) In order to be eligible for appointment to the advisory
23 committee under Subsection (b), a person must be knowledgeable
24 about national standards relating to the credentialing process for

1 physicians.

2 (d) The executive commissioner shall designate one advisory
3 committee member to serve as presiding officer.

4 (e) The advisory committee shall develop and the executive
5 commissioner shall adopt rules for the establishment of a process
6 through which the commission collects from a physician seeking to
7 be included in or remain in the provider network of a Medicaid
8 managed care organization all of the necessary information for the
9 organization to perform a sufficient credentialing or
10 recredentialing process to determine if the physician is qualified
11 to be included in or remain in the organization's provider network.
12 The rules must include the content and format of the form that a
13 physician must use to submit information to the commission for
14 purposes of the credentialing or recredentialing process.

15 (f) The advisory committee shall meet at least once each
16 calendar year at the call of the presiding officer to review the
17 information that the commission collects and to determine if that
18 information is sufficient to enable a Medicaid managed care
19 organization to perform credentialing and recredentialing
20 processes for physicians that comply with federal and state law and
21 standards developed by relevant national accreditation
22 organizations. The advisory committee shall submit to the executive
23 commissioner recommendations for any necessary changes to
24 commission rules as a result of this review.

25 (g) Nothing in this section shall be construed to:

26 (1) prohibit a Medicaid managed care organization from
27 requesting additional information from a physician for the purposes

1 of the credentialing or recredentialing process; or

2 (2) require a Medicaid managed care organization to
3 include in the organization's provider network a physician who
4 submits information to the commission as part of the process
5 established under this section.

6 (h) The advisory committee members shall serve staggered
7 three-year terms.

8 (i) An advisory committee member who no longer meets the
9 qualifications for service on the advisory committee must resign
10 from the advisory committee.

11 (j) The executive commissioner shall fill a vacancy on the
12 advisory committee in the same manner as other appointments to the
13 advisory committee.

14 (k) An advisory committee member may not receive
15 compensation for serving on the advisory committee and may not be
16 reimbursed for expenses incurred while conducting the business of
17 the advisory committee.

18 (l) The commission shall provide administrative support to
19 the advisory committee.

20 (m) Chapter 2110 does not apply to the advisory committee.

21 SECTION 2. (a) Not later than October 1, 2015, the
22 executive commissioner of the Health and Human Services Commission
23 shall establish the advisory committee and appoint the advisory
24 committee members for terms beginning September, 1, 2015, as
25 required by Section 531.0975, Government Code, as added by this
26 Act.

27 (b) In making the initial appointments and notwithstanding

1 Section 531.0975(h), Government Code, as added by this Act, the
2 executive commissioner shall designate one-third of the members to
3 serve for terms expiring August 31, 2016, one-third of the members
4 to serve for terms expiring August 31, 2017, and the remaining
5 one-third of the members to serve for terms expiring August 31,
6 2018.

7 SECTION 3. Not later than January 1, 2016, the advisory
8 committee established under Section 531.0975, Government Code, as
9 added by this Act, shall make initial recommendations and the
10 executive commissioner of the Health and Human Services Commission
11 shall adopt or amend rules as necessary in accordance with Section
12 531.0975(e), Government Code, as added by this Act.

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