

## **BILL ANALYSIS**

Senate Research Center  
85R2836 SCL-F

S.B. 654  
By: Seliger  
Business & Commerce  
5/24/2017  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In Texas, advanced practice registered nurses (APRNs) work under a delegating physician in order to practice and see patients. Additionally, APRNs can only accept an insurance plan if their delegating physician also accepts that plan. S.B. 654 amends current law in order to allow APRNs to serve patients in any of the Medicaid plans.

S.B. 654 amends current law relating to the participation of an advanced practice registered nurse as a primary care or network provider for certain governmental and other health benefit plans.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 533.005, Government Code, by adding Subsection (d), as follows:

(d) Authorizes an advanced practice registered nurse (APRN) to be included as a primary care provider in a managed care organization's (MCO's) provider network regardless of whether the physician supervising the APRN is in the provider network for purposes of Subsection (a)(13) (relating to certain provisions of a required contract). Prohibits this subsection from being construed as authorizing an MCO to supervise or control the practice of medicine as prohibited by Subtitle B (Physicians), Title 3 (Health Professions), Occupations Code.

SECTION 2. Amends Section 62.1551, Health and Safety Code, as follows:

Sec. 62.1551. INCLUSION OF CERTAIN HEALTH CARE PROVIDERS IN PROVIDER NETWORKS. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Authorizes an APRN to be included as a primary care provider in an MCO's or entity's provider network regardless of whether the physician supervising the APRN is in the provider network, for purposes of Subsection (a).

(c) Prohibits this section from being construed as authorizing an MCO or other entity to supervise or control the practice of medicine as prohibited by Subtitle B, Title 3, Occupations Code.

SECTION 3. Amends Section 32.024(gg), Human Resources Code, as follows:

(gg) Requires the Health and Human Services Commission (HHSC) to ensure that APRN and physician assistants may be selected by and assigned to recipients of medical assistance as the primary care providers of those recipients regardless of whether the physician supervising the APRN is included in any directory of providers of medical assistance maintained by HHSC. Prohibits this subsection from being construed as

authorizing HHSC to supervise or control the practice of medicine as prohibited by Subtitle B, Title 3, Occupations Code.

SECTION 4. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes delay of implementation until such a waiver or authorization is granted.

SECTION 5. Effective date: September 1, 2017.