

BILL ANALYSIS

Senate Research Center
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S.B. 654
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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.

As proposed, 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) provider network regardless of whether the physician supervising the APRN is in the provider network. 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.

(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. Amends Subchapter I, Chapter 843, Insurance Code, by adding Section 843.3125, as follows:

Sec. 843.3125. **CONTRACTS WITH ADVANCED PRACTICE REGISTERED NURSES.** (a) Authorizes a health maintenance organization (HMO) to contract directly with an APRN to provide health care services on behalf of the HMO regardless of whether the physician supervising the APRN provides health care services for the HMO.

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

SECTION 5. Amends Subchapter B, Chapter 1301, Insurance Code, by adding Section 1301.0525, as follows:

Sec. 1301.0525. **DESIGNATION OF ADVANCED PRACTICE REGISTERED NURSES AS PREFERRED PROVIDERS.** (a) Authorizes an insurer offering a preferred provider benefit plan to designate an APRN as a preferred provider regardless of whether the physician supervising the APRN is a preferred provider.

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

SECTION 6. Requires a state agency affected by any provision of this Act, if before implementing the provision the agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, to request the waiver or authorization and authorizes the agency to delay implementing that provision until the waiver or authorization is granted.

SECTION 7. Effective date: September 1, 2017.