

By: Guerra, Longoria, Sheffield,
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H.B. No. 727

A BILL TO BE ENTITLED

AN ACT

relating to the use of home telemonitoring services under Medicaid.

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

SECTION 1. Section [531.02164](#), Government Code, is amended by amending Subsection (c) and adding Subsections (c-1) and (c-2) to read as follows:

(c) The program required under this section must:

(1) provide that home telemonitoring services are available only to a person [~~persons~~] who:

(A) is [~~are~~] diagnosed with one or more of the following conditions:

- (i) pregnancy;
- (ii) diabetes;
- (iii) heart disease;
- (iv) cancer;
- (v) chronic obstructive pulmonary disease;
- (vi) hypertension;
- (vii) congestive heart failure;
- (viii) mental illness or serious emotional disturbance;
- (ix) asthma;
- (x) myocardial infarction; or
- (xi) stroke; and

(B) exhibits [~~exhibit~~] two or more of the

1 following risk factors:

2 (i) two or more hospitalizations in the
3 prior 12-month period;

4 (ii) frequent or recurrent emergency room
5 admissions;

6 (iii) a documented history of poor
7 adherence to ordered medication regimens;

8 (iv) a documented history of falls in the
9 prior six-month period;

10 (v) limited or absent informal support
11 systems;

12 (vi) living alone or being home alone for
13 extended periods of time; and

14 (vii) a documented history of care access
15 challenges;

16 (2) ensure that clinical information gathered by a
17 home and community support services agency or hospital while
18 providing home telemonitoring services is shared with the patient's
19 physician; ~~and~~

20 (3) ensure that the program does not duplicate disease
21 management program services provided under Section [32.057](#), Human
22 Resources Code; and

23 (4) provide reimbursement for home telemonitoring
24 services in the event of an unsuccessful data transmission if the
25 provider of the services attempts to communicate with the patient
26 by telephone or in person to establish a successful data
27 transmission.

1 (c-1) Notwithstanding Subsection (c)(1), the program
2 required under this section may also provide that home
3 telemonitoring services are available to pediatric patients with
4 chronic or complex medical needs who:

5 (1) are being concurrently treated by at least three
6 medical specialists;

7 (2) are diagnosed with end-stage solid organ disease;

8 (3) have received an organ transplant; or

9 (4) are diagnosed with severe asthma.

10 (c-2) A provider that is reimbursed under Subsection (c)(4)
11 for home telemonitoring services provided to a patient may not also
12 be reimbursed for communicating with the patient by telephone or in
13 person to establish a successful data transmission as described by
14 Subsection (c)(4).

15 SECTION 2. As soon as practicable after the effective date
16 of this Act, the executive commissioner of the Health and Human
17 Services Commission shall adopt necessary rules to implement the
18 changes in law made by this Act.

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

25 SECTION 4. This Act takes effect September 1, 2017.