

By: Guerra, Longoria, Sheffield,  
Davis of Harris, Laubenberg

H.B. No. 727

Substitute the following for H.B. No. 727:

By: Cortez

C.S.H.B. No. 727

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the use of home telemonitoring services under Medicaid.

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

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

7 (c) The program required under this section must:

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

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

- 12 (i) pregnancy;
- 13 (ii) diabetes;
- 14 (iii) heart disease;
- 15 (iv) cancer;
- 16 (v) chronic obstructive pulmonary disease;
- 17 (vi) hypertension;
- 18 (vii) congestive heart failure;
- 19 (viii) mental illness or serious emotional  
20 disturbance;
- 21 (ix) asthma;
- 22 (x) myocardial infarction; or
- 23 (xi) stroke; and

24 (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.