

By: Clardy, et al.

H.B. No. 2570

Substitute the following for H.B. No. 2570:

By: Minjarez

C.S.H.B. No. 2570

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the legislative oversight committee on the allocation of Medicaid beds in nursing facilities.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02131 to read as follows:

Sec. 32.02131. LEGISLATIVE OVERSIGHT COMMITTEE ON THE ALLOCATION OF MEDICAID BEDS IN NURSING FACILITIES. (a) In this section:

(1) "Committee" means the legislative oversight committee on the allocation of Medicaid beds in nursing facilities.

(2) "Nursing facility" means a nursing facility licensed under Chapter 242, Health and Safety Code, that is a provider under Medicaid.

(b) The committee is composed of six members as follows:

(1) two members of the senate and, subject to Subsection (d), one representative of an owner or operator of a nursing facility appointed by the lieutenant governor; and

(2) two members of the house of representatives and, subject to Subsection (d), one representative of an owner or operator of a nursing facility appointed by the speaker of the house of representatives.

(c) A committee member serves at the pleasure of the appointing official.

1 (d) Each committee member who is a representative of an
2 owner or operator of a nursing facility must reside in this state
3 and be involved in the day-to-day operation of the nursing
4 facility.

5 (e) The lieutenant governor and the speaker of the house of
6 representatives shall appoint the presiding officer of the
7 committee on an alternating basis. The presiding officer shall
8 serve a two-year term that expires February 1 of each odd-numbered
9 year.

10 (f) A vacancy on the committee shall be filled in the same
11 manner as the original appointment.

12 (g) The committee shall:

13 (1) meet at the call of the presiding officer;

14 (2) research, take public testimony, and issue reports
15 requested by the lieutenant governor or the speaker of the house of
16 representatives relating to the allocation of Medicaid beds in
17 nursing facilities in this state;

18 (3) monitor the effectiveness of the existing rules
19 adopted by the executive commissioner relating to the procedures
20 for certifying and decertifying Medicaid beds in nursing facilities
21 established under Section [32.0213](#) and consider the need for
22 modifications to existing rules to better control the procedures
23 for certifying and decertifying Medicaid beds in nursing
24 facilities;

25 (4) receive, review, and comment on rules proposed by
26 the executive commissioner relating to the procedures for
27 certifying and decertifying Medicaid beds in nursing facilities

1 established under Section 32.0213; and

2 (5) review recommendations for legislation relating
3 to the procedures for certifying and decertifying Medicaid beds in
4 nursing facilities.

5 (h) The committee may:

6 (1) propose legislation relating to the procedures for
7 certifying and decertifying Medicaid beds in nursing facilities
8 established under Section 32.0213;

9 (2) request reports and other information from the
10 commission; and

11 (3) issue process, in accordance with Section 301.024,
12 Government Code, to compel attendance of witnesses and the
13 production of books, records, documents, and instruments required
14 by the committee.

15 (i) The committee shall use the existing staff resources of
16 the senate and the house of representatives to assist the committee
17 in performing its duties under this section.

18 (j) A member of the committee may not receive compensation
19 for serving on the committee but is entitled to reimbursement for
20 travel expenses incurred by the member while conducting the
21 business of the committee, as provided in the General
22 Appropriations Act.

23 (k) Not later than November 15 of each even-numbered year,
24 the committee shall submit a report on the committee's activities
25 and the results of the committee's work to the governor, the
26 lieutenant governor, and the speaker of the house of
27 representatives.

1 (1) The committee is abolished and this section expires
2 September 1, 2021.

3 SECTION 2. As soon as practicable after the effective date
4 of this Act, the lieutenant governor and the speaker of the house of
5 representatives shall appoint members to the legislative oversight
6 committee on the allocation of Medicaid beds in nursing facilities
7 as required by Section 32.02131, Human Resources Code, as added by
8 this Act. The speaker of the house of representatives shall appoint
9 the first presiding officer of the committee.

10 SECTION 3. This Act takes effect September 1, 2017.