

By: Nelson, Uresti, Watson

S.B. No. 74

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain behavioral health services to children, adolescents, and their families under a contract with a managed care organization.

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

SECTION 1. Subchapter A, Chapter 533, Government Code, is amended by adding Section 533.002552 to read as follows:

Sec. 533.002552. TARGETED CASE MANAGEMENT AND PSYCHIATRIC REHABILITATIVE SERVICES FOR CHILDREN, ADOLESCENTS, AND FAMILIES.

(a) A provider in the provider network of a managed care organization that contracts with the commission to provide behavioral health services under Section 533.00255 may contract with the managed care organization to provide targeted case management and psychiatric rehabilitative services to children, adolescents, and their families.

(b) Commission rules and guidelines concerning contract and training requirements applicable to the provision of behavioral health services may apply to a provider that contracts with a managed care organization under Subsection (a) only to the extent those contract and training requirements are specific to the provision of targeted case management and psychiatric rehabilitative services to children, adolescents, and their families.

(c) Commission rules and guidelines applicable to a

1 provider that contracts with a managed care organization under
2 Subsection (a) may not require the provider to provide a behavioral
3 health crisis hotline or a mobile crisis team that operates 24 hours
4 per day and seven days per week. This subsection does not prohibit
5 a managed care organization that contracts with the commission to
6 provide behavioral health services under Section 533.00255 from
7 specifically contracting with a provider for the provision of a
8 behavioral health crisis hotline or a mobile crisis team that
9 operates 24 hours per day and seven days per week.

10 (d) Commission rules and guidelines applicable to a
11 provider that contracts with a managed care organization to provide
12 targeted case management and psychiatric rehabilitative services
13 specific to children and adolescents who are at risk of juvenile
14 justice involvement, expulsion from school, displacement from the
15 home, hospitalization, residential treatment, or serious injury to
16 self, others, or animals may not require the provider to also
17 provide less intensive psychiatric rehabilitative services
18 specified by commission rules and guidelines as applicable to the
19 provision of targeted case management and psychiatric
20 rehabilitative services to children, adolescents, and their
21 families, if that provider has a referral arrangement to provide
22 access to those less intensive psychiatric rehabilitative
23 services.

24 (e) Commission rules and guidelines applicable to a
25 provider that contracts with a managed care organization under
26 Subsection (a) may not require the provider to provide services not
27 covered under Medicaid.

1 SECTION 2. Not later than January 1, 2018, the executive
2 commissioner of the Health and Human Services Commission shall
3 adopt rules and guidelines or amend existing rules and guidelines
4 as necessary to comply with the requirements of Section 533.002552,
5 Government Code, as added by this Act.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2017.