

1-1 By: Hinojosa S.B. No. 1462
 1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read
 1-3 first time and referred to Committee on Intergovernmental
 1-4 Relations; April 19, 2017, reported favorably by the following
 1-5 vote: Yeas 6, Nays 0; April 19, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Lucio	X			
1-8 Bettencourt	X			
1-9 Campbell	X			
1-10 Garcia	X			
1-11 Huffines	X			
1-12 Menéndez			X	
1-13 Taylor of Collin	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to local health care provider participation programs in
 1-18 certain counties and municipalities.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 288.151(b), Health and Safety Code, is
 1-21 amended to read as follows:

1-22 (b) Not later than the fifth [~~10th~~] day before the date of
 1-23 the hearing, the commission shall publish at least once notice of
 1-24 the hearing in a newspaper of general circulation in the county in
 1-25 which the district is located.

1-26 SECTION 2. Section 288.155(c), Health and Safety Code, is
 1-27 amended to read as follows:

1-28 (c) Money deposited to the local provider participation
 1-29 fund may be used only to:

1-30 (1) fund intergovernmental transfers from the
 1-31 district to the state to provide:

1-32 (A) the nonfederal share of a Medicaid
 1-33 supplemental payment program authorized under the state Medicaid
 1-34 plan, the Texas Healthcare Transformation and Quality Improvement
 1-35 Program waiver issued under Section 1115 of the federal Social
 1-36 Security Act (42 U.S.C. Section 1315), or a successor waiver
 1-37 program authorizing similar Medicaid supplemental payment
 1-38 programs; or

1-39 (B) payments to Medicaid managed care
 1-40 organizations that are dedicated for payment to hospitals;

1-41 (2) subsidize indigent programs;

1-42 (3) pay the administrative expenses of the district;

1-43 (4) refund a portion of a mandatory payment collected
 1-44 in error from a paying hospital; ~~and~~

1-45 (5) refund to paying hospitals the proportionate share
 1-46 of the money received by the district from the Health and Human
 1-47 Services Commission that is not used to fund the nonfederal share of
 1-48 Medicaid supplemental payment program payments; and

1-49 (6) refund to paying hospitals the proportionate share
 1-50 of money that the district determines cannot be used to fund the
 1-51 nonfederal share of Medicaid supplemental payment program
 1-52 payments.

1-53 SECTION 3. Section 288.202, Health and Safety Code, is
 1-54 amended to read as follows:

1-55 Sec. 288.202. ASSESSMENT AND COLLECTION OF MANDATORY
 1-56 PAYMENTS. The district may collect or contract for the assessment
 1-57 and collection of mandatory payments required under this chapter
 1-58 ~~[(a) Except as provided by Subsection (b), the county tax~~
 1-59 ~~assessor-collector shall collect a mandatory payment required~~
 1-60 ~~under this subchapter. The county tax assessor-collector shall~~
 1-61 ~~charge and deduct from mandatory payments collected for the~~

2-1 ~~district a fee for collecting the mandatory payment in an amount~~
2-2 ~~determined by the commission, not to exceed the county tax~~
2-3 ~~assessor-collector's usual and customary charges.~~

2-4 ~~[(b) If determined by the commission to be appropriate, the~~
2-5 ~~commission may contract for the assessment and collection of~~
2-6 ~~mandatory payments in the manner provided by Title 1, Tax Code, for~~
2-7 ~~the assessment and collection of ad valorem taxes.~~

2-8 ~~[(c) Revenue from a fee charged by a county tax~~
2-9 ~~assessor-collector for collecting the mandatory payment shall be~~
2-10 ~~deposited in the county general fund and, if appropriate, shall be~~
2-11 ~~reported as fees of the county tax assessor-collector].~~

2-12 SECTION 4. Section 291.101(b), Health and Safety Code, is
2-13 amended to read as follows:

2-14 (b) Not later than the fifth [~~10th~~] day before the date of
2-15 the hearing required under Subsection (a), the commissioners court
2-16 of the county shall publish notice of the hearing in a newspaper of
2-17 general circulation in the county.

2-18 SECTION 5. Section 291.103(c), Health and Safety Code, is
2-19 amended to read as follows:

2-20 (c) Money deposited to the local provider participation
2-21 fund may be used only to:

2-22 (1) fund intergovernmental transfers from the county
2-23 to the state to provide:

2-24 (A) the nonfederal share of a Medicaid
2-25 supplemental payment program authorized under the state Medicaid
2-26 plan, the Texas Healthcare Transformation and Quality Improvement
2-27 Program waiver issued under Section 1115 of the federal Social
2-28 Security Act (42 U.S.C. Section 1315), or a successor waiver
2-29 program authorizing similar Medicaid supplemental payment
2-30 programs; or

2-31 (B) payments to Medicaid managed care
2-32 organizations that are dedicated for payment to hospitals;

2-33 (2) subsidize indigent programs;

2-34 (3) pay the administrative expenses of the county
2-35 solely for activities under this chapter;

2-36 (4) refund a portion of a mandatory payment collected
2-37 in error from a paying hospital; ~~and~~

2-38 (5) refund to paying hospitals the proportionate share
2-39 of money received by the county from the Health and Human Services
2-40 Commission that is not used to fund the nonfederal share of Medicaid
2-41 supplemental payment program payments; and

2-42 (6) refund to paying hospitals the proportionate share
2-43 of money that the county determines cannot be used to fund the
2-44 nonfederal share of Medicaid supplemental payment program
2-45 payments.

2-46 SECTION 6. Section 291.152, Health and Safety Code, is
2-47 amended to read as follows:

2-48 Sec. 291.152. ASSESSMENT AND COLLECTION OF MANDATORY
2-49 PAYMENTS. The county may collect or contract for the assessment and
2-50 collection of mandatory payments authorized under this chapter

2-51 ~~[(a) Except as provided by Subsection (b), the county tax~~
2-52 ~~assessor-collector shall collect the mandatory payment authorized~~
2-53 ~~under this chapter. The county tax assessor-collector shall charge~~
2-54 ~~and deduct from mandatory payments collected for the county a fee~~
2-55 ~~for collecting the mandatory payment in an amount determined by the~~
2-56 ~~commissioners court of the county, not to exceed the county tax~~
2-57 ~~assessor-collector's usual and customary charges.~~

2-58 ~~[(b) If determined by the commissioners court to be~~
2-59 ~~appropriate, the commissioners court may contract for the~~
2-60 ~~assessment and collection of mandatory payments in the manner~~
2-61 ~~provided by Title 1, Tax Code, for the assessment and collection of~~
2-62 ~~ad valorem taxes.~~

2-63 ~~[(c) Revenue from a fee charged by a county tax~~
2-64 ~~assessor-collector for collecting the mandatory payment shall be~~
2-65 ~~deposited in the county general fund and, if appropriate, shall be~~
2-66 ~~reported as fees of the county tax assessor-collector].~~

2-67 SECTION 7. Section 292.101(b), Health and Safety Code, is
2-68 amended to read as follows:

2-69 (b) Not later than the fifth [~~10th~~] day before the date of

3-1 the hearing required under Subsection (a), the commissioners court
3-2 of the county shall publish notice of the hearing in a newspaper of
3-3 general circulation in the county.

3-4 SECTION 8. Section 292.103(c), Health and Safety Code, is
3-5 amended to read as follows:

3-6 (c) Money deposited to the local provider participation
3-7 fund may be used only to:

3-8 (1) fund intergovernmental transfers from the county
3-9 to the state to provide:

3-10 (A) the nonfederal share of a Medicaid
3-11 supplemental payment program authorized under the state Medicaid
3-12 plan, the Texas Healthcare Transformation and Quality Improvement
3-13 Program waiver issued under Section 1115 of the federal Social
3-14 Security Act (42 U.S.C. Section 1315), or a successor waiver
3-15 program authorizing similar Medicaid supplemental payment
3-16 programs; or

3-17 (B) payments to Medicaid managed care
3-18 organizations that are dedicated for payment to hospitals;

3-19 (2) subsidize indigent programs;

3-20 (3) pay the administrative expenses of the county
3-21 solely for activities under this chapter;

3-22 (4) refund a portion of a mandatory payment collected
3-23 in error from a paying hospital; ~~and~~

3-24 (5) refund to paying hospitals the proportionate share
3-25 of money received by the county from the Health and Human Services
3-26 Commission that is not used to fund the nonfederal share of Medicaid
3-27 supplemental payment program payments; and

3-28 (6) refund to paying hospitals the proportionate share
3-29 of money that the county determines cannot be used to fund the
3-30 nonfederal share of Medicaid supplemental payment program
3-31 payments.

3-32 SECTION 9. Section 292.152, Health and Safety Code, is
3-33 amended to read as follows:

3-34 Sec. 292.152. ASSESSMENT AND COLLECTION OF MANDATORY
3-35 PAYMENTS. The county may collect or contract for the assessment and
3-36 collection of mandatory payments authorized under this chapter
3-37 ~~[(a) Except as provided by Subsection (b), the county tax~~
3-38 ~~assessor-collector shall collect the mandatory payment authorized~~
3-39 ~~under this chapter. The county tax assessor-collector shall charge~~
3-40 ~~and deduct from mandatory payments collected for the county a fee~~
3-41 ~~for collecting the mandatory payment in an amount determined by the~~
3-42 ~~commissioners court of the county, not to exceed the county tax~~
3-43 ~~assessor-collector's usual and customary charges.~~

3-44 ~~[(b) If determined by the commissioners court to be~~
3-45 ~~appropriate, the commissioners court may contract for the~~
3-46 ~~assessment and collection of mandatory payments in the manner~~
3-47 ~~provided by Title 1, Tax Code, for the assessment and collection of~~
3-48 ~~ad valorem taxes.~~

3-49 ~~[(c) Revenue from a fee charged by a county tax~~
3-50 ~~assessor-collector for collecting the mandatory payment shall be~~
3-51 ~~deposited in the county general fund and, if appropriate, shall be~~
3-52 ~~reported as fees of the county tax assessor-collector].~~

3-53 SECTION 10. Section 293.001(1), Health and Safety Code, is
3-54 amended to read as follows:

3-55 (1) "Institutional health care provider" means a
3-56 nonpublic hospital that provides inpatient hospital services
3-57 [licensed under Chapter 241].

3-58 SECTION 11. Section 293.101(b), Health and Safety Code, is
3-59 amended to read as follows:

3-60 (b) Not later than the fifth ~~[10th]~~ day before the date of
3-61 the hearing required under Subsection (a), the commissioners court
3-62 of the county shall publish notice of the hearing in a newspaper of
3-63 general circulation in the county.

3-64 SECTION 12. Section 293.103(c), Health and Safety Code, is
3-65 amended to read as follows:

3-66 (c) Money deposited to the local provider participation
3-67 fund may be used only to:

3-68 (1) fund intergovernmental transfers from the county
3-69 to the state to provide:

4-1 (A) the nonfederal share of a Medicaid
4-2 supplemental payment program authorized under the state Medicaid
4-3 plan, the Texas Healthcare Transformation and Quality Improvement
4-4 Program waiver issued under Section 1115 of the federal Social
4-5 Security Act (42 U.S.C. Section 1315), or a successor waiver
4-6 program authorizing similar Medicaid supplemental payment
4-7 programs; or

4-8 (B) payments to Medicaid managed care
4-9 organizations that are dedicated for payment to hospitals;

4-10 (2) subsidize indigent programs;

4-11 (3) pay the administrative expenses of the county
4-12 solely for activities under this chapter;

4-13 (4) refund a portion of a mandatory payment collected
4-14 in error from a paying hospital; ~~and~~

4-15 (5) refund to paying hospitals the proportionate share
4-16 of money received by the county from the Health and Human Services
4-17 Commission that is not used to fund the nonfederal share of Medicaid
4-18 supplemental payment program payments; and

4-19 (6) refund to paying hospitals the proportionate share
4-20 of money that the county determines cannot be used to fund the
4-21 nonfederal share of Medicaid supplemental payment program
4-22 payments.

4-23 SECTION 13. Section 293.152, Health and Safety Code, is
4-24 amended to read as follows:

4-25 Sec. 293.152. ASSESSMENT AND COLLECTION OF MANDATORY
4-26 PAYMENTS. The county may collect or contract for the assessment and
4-27 collection of mandatory payments authorized under this chapter
4-28 ~~[(a) Except as provided by Subsection (b), the county tax~~
4-29 ~~assessor-collector shall collect the mandatory payment authorized~~
4-30 ~~under this chapter. The county tax assessor-collector shall charge~~
4-31 ~~and deduct from mandatory payments collected for the county a fee~~
4-32 ~~for collecting the mandatory payment in an amount determined by the~~
4-33 ~~commissioners court of the county, not to exceed the county tax~~
4-34 ~~assessor-collector's usual and customary charges.~~

4-35 ~~[(b) If determined by the commissioners court to be~~
4-36 ~~appropriate, the commissioners court may contract for the~~
4-37 ~~assessment and collection of mandatory payments in the manner~~
4-38 ~~provided by Title 1, Tax Code, for the assessment and collection of~~
4-39 ~~ad valorem taxes.~~

4-40 ~~[(c) Revenue from a fee charged by a county tax~~
4-41 ~~assessor-collector for collecting the mandatory payment shall be~~
4-42 ~~deposited in the county general fund and, if appropriate, shall be~~
4-43 ~~reported as fees of the county tax assessor-collector].~~

4-44 SECTION 14. Section 294.001(1), Health and Safety Code, is
4-45 amended to read as follows:

4-46 (1) "Institutional health care provider" means a
4-47 nonpublic hospital that provides inpatient hospital services
4-48 ~~[licensed under Chapter 241].~~

4-49 SECTION 15. Section 294.101(b), Health and Safety Code, is
4-50 amended to read as follows:

4-51 (b) Not later than the fifth ~~[10th]~~ day before the date of
4-52 the hearing required under Subsection (a), the commissioners court
4-53 of the county shall publish notice of the hearing in a newspaper of
4-54 general circulation in the county.

4-55 SECTION 16. Section 294.103(c), Health and Safety Code, is
4-56 amended to read as follows:

4-57 (c) Money deposited to the local provider participation
4-58 fund may be used only to:

4-59 (1) fund intergovernmental transfers from the county
4-60 to the state to provide:

4-61 (A) the nonfederal share of a Medicaid
4-62 supplemental payment program authorized under the state Medicaid
4-63 plan, the Texas Healthcare Transformation and Quality Improvement
4-64 Program waiver issued under Section 1115 of the federal Social
4-65 Security Act (42 U.S.C. Section 1315), or a successor waiver
4-66 program authorizing similar Medicaid supplemental payment
4-67 programs; or

4-68 (B) payments to Medicaid managed care
4-69 organizations that are dedicated for payment to hospitals;

- 5-1 (2) subsidize indigent programs;
- 5-2 (3) pay the administrative expenses of the county
- 5-3 solely for activities under this chapter;
- 5-4 (4) refund a portion of a mandatory payment collected
- 5-5 in error from a paying hospital; ~~and~~
- 5-6 (5) refund to paying hospitals the proportionate share
- 5-7 of money received by the county from the Health and Human Services
- 5-8 Commission that is not used to fund the nonfederal share of Medicaid
- 5-9 supplemental payment program payments; and
- 5-10 (6) refund to paying hospitals the proportionate share
- 5-11 of money that the county determines cannot be used to fund the
- 5-12 nonfederal share of Medicaid supplemental payment program
- 5-13 payments.

5-14 SECTION 17. Section 294.152, Health and Safety Code, is

5-15 amended to read as follows:

5-16 Sec. 294.152. ASSESSMENT AND COLLECTION OF MANDATORY

5-17 PAYMENTS. The county may collect or contract for the assessment and

5-18 collection of mandatory payments authorized under this chapter

5-19 ~~[(a) Except as provided by Subsection (b), the county tax~~

5-20 ~~assessor-collector shall collect the mandatory payment authorized~~

5-21 ~~under this chapter. The county tax assessor-collector shall charge~~

5-22 ~~and deduct from mandatory payments collected for the county a fee~~

5-23 ~~for collecting the mandatory payment in an amount determined by the~~

5-24 ~~commissioners court of the county, not to exceed the county tax~~

5-25 ~~assessor-collector's usual and customary charges.~~

5-26 ~~[(b) If determined by the commissioners court to be~~

5-27 ~~appropriate, the commissioners court may contract for the~~

5-28 ~~assessment and collection of mandatory payments in the manner~~

5-29 ~~provided by Title 1, Tax Code, for the assessment and collection of~~

5-30 ~~ad valorem taxes.~~

5-31 ~~[(c) Revenue from a fee charged by a county tax~~

5-32 ~~assessor-collector for collecting the mandatory payment shall be~~

5-33 ~~deposited in the county general fund and, if appropriate, shall be~~

5-34 ~~reported as fees of the county tax assessor-collector].~~

5-35 SECTION 18. Section 295.101(b), Health and Safety Code, is

5-36 amended to read as follows:

5-37 (b) Not later than the fifth ~~[10th]~~ day before the date of

5-38 the hearing required under Subsection (a), the governing body of

5-39 the municipality shall publish notice of the hearing in a newspaper

5-40 of general circulation in the municipality.

5-41 SECTION 19. Section 295.103(c), Health and Safety Code, is

5-42 amended to read as follows:

5-43 (c) Money deposited to the local provider participation

5-44 fund may be used only to:

5-45 (1) fund intergovernmental transfers from the

5-46 municipality to the state to provide:

5-47 (A) the nonfederal share of a Medicaid

5-48 supplemental payment program authorized under the state Medicaid

5-49 plan, the Texas Healthcare Transformation and Quality Improvement

5-50 Program waiver issued under Section 1115 of the federal Social

5-51 Security Act (42 U.S.C. Section 1315), or a successor waiver

5-52 program authorizing similar Medicaid supplemental payment

5-53 programs; or

5-54 (B) payments to Medicaid managed care

5-55 organizations that are dedicated for payment to hospitals;

5-56 (2) subsidize indigent programs;

5-57 (3) pay the administrative expenses of the

5-58 municipality solely for activities under this chapter;

5-59 (4) refund a portion of a mandatory payment collected

5-60 in error from a paying hospital; ~~and~~

5-61 (5) refund to paying hospitals the proportionate share

5-62 of money received by the municipality from the Health and Human

5-63 Services Commission that is not used to fund the nonfederal share of

5-64 Medicaid supplemental payment program payments; and

5-65 (6) refund to paying hospitals the proportionate share

5-66 of money that the governing body of the municipality determines

5-67 cannot be used to fund the nonfederal share of Medicaid

5-68 supplemental payment program payments.

5-69 SECTION 20. Section 295.152, Health and Safety Code, is

6-1 amended to read as follows:

6-2 Sec. 295.152. ASSESSMENT AND COLLECTION OF MANDATORY
 6-3 PAYMENTS. The municipality may collect or contract for the
 6-4 assessment and collection of mandatory payments authorized under
 6-5 this chapter [(a) Except as provided by Subsection (b), the
 6-6 municipal tax assessor-collector shall collect the mandatory
 6-7 payment authorized under this chapter. The municipal tax
 6-8 assessor-collector shall charge and deduct from mandatory payments
 6-9 collected for the municipality a fee for collecting the mandatory
 6-10 payment in an amount determined by the governing body of the
 6-11 municipality, not to exceed the municipal tax assessor-collector's
 6-12 usual and customary charges.

6-13 ~~[(b) If determined by the governing body to be appropriate,~~
 6-14 ~~the governing body may contract for the assessment and collection~~
 6-15 ~~of mandatory payments in the manner provided by Title 1, Tax Code,~~
 6-16 ~~for the assessment and collection of ad valorem taxes.~~

6-17 ~~[(c) Revenue from a fee charged by a municipal tax~~
 6-18 ~~assessor-collector for collecting the mandatory payment shall be~~
 6-19 ~~deposited in the municipal general fund and, if appropriate, shall~~
 6-20 ~~be reported as fees of the municipal tax assessor-collector].~~

6-21 SECTION 21. Section 296.101(b), Health and Safety Code, is
 6-22 amended to read as follows:

6-23 (b) Not later than the fifth [~~10th~~] day before the date of
 6-24 the hearing required under Subsection (a), the commissioners court
 6-25 of the county shall publish notice of the hearing in a newspaper of
 6-26 general circulation in the county.

6-27 SECTION 22. Section 296.103(c), Health and Safety Code, is
 6-28 amended to read as follows:

6-29 (c) Money deposited to the local provider participation
 6-30 fund may be used only to:

6-31 (1) fund intergovernmental transfers from the county
 6-32 to the state to provide:

6-33 (A) the nonfederal share of a Medicaid
 6-34 supplemental payment program authorized under the state Medicaid
 6-35 plan, the Texas Healthcare Transformation and Quality Improvement
 6-36 Program waiver issued under Section 1115 of the federal Social
 6-37 Security Act (42 U.S.C. Section 1315), or a successor waiver
 6-38 program authorizing similar Medicaid supplemental payment
 6-39 programs; or

6-40 (B) payments to Medicaid managed care
 6-41 organizations that are dedicated for payment to hospitals;

6-42 (2) subsidize indigent programs;

6-43 (3) pay the administrative expenses of the county
 6-44 solely for activities under this chapter;

6-45 (4) refund a portion of a mandatory payment collected
 6-46 in error from a paying hospital; ~~and~~

6-47 (5) refund to paying hospitals the proportionate share
 6-48 of money received by the county from the Health and Human Services
 6-49 Commission that is not used to fund the nonfederal share of Medicaid
 6-50 supplemental payment program payments; and

6-51 (6) refund to paying hospitals the proportionate share
 6-52 of money that the county determines cannot be used to fund the
 6-53 nonfederal share of Medicaid supplemental payment program
 6-54 payments.

6-55 SECTION 23. Section 296.152, Health and Safety Code, is
 6-56 amended to read as follows:

6-57 Sec. 296.152. ASSESSMENT AND COLLECTION OF MANDATORY
 6-58 PAYMENTS. The county may collect or contract for the assessment and
 6-59 collection of mandatory payments authorized under this chapter
 6-60 [(a) Except as provided by Subsection (b), the county tax
 6-61 assessor-collector shall collect the mandatory payment authorized
 6-62 under this chapter. The county tax assessor-collector shall charge
 6-63 and deduct from mandatory payments collected for the county a fee
 6-64 for collecting the mandatory payment in an amount determined by the
 6-65 commissioners court of the county, not to exceed the county tax
 6-66 assessor-collector's usual and customary charges.

6-67 ~~[(b) If determined by the commissioners court to be~~
 6-68 ~~appropriate, the commissioners court may contract for the~~
 6-69 ~~assessment and collection of mandatory payments in the manner~~

7-1 ~~provided by Title 1, Tax Code, for the assessment and collection of~~
7-2 ~~ad valorem taxes.~~

7-3 ~~[(c) Revenue from a fee charged by a county tax~~
7-4 ~~assessor-collector for collecting the mandatory payment shall be~~
7-5 ~~deposited in the county general fund and, if appropriate, shall be~~
7-6 ~~reported as fees of the county tax assessor-collector].~~

7-7 SECTION 24. Section 297.001(1), Health and Safety Code, is
7-8 amended to read as follows:

7-9 (1) "Institutional health care provider" means a
7-10 nonpublic hospital that provides inpatient hospital services
7-11 [licensed under Chapter 241].

7-12 SECTION 25. Section 297.101(b), Health and Safety Code, is
7-13 amended to read as follows:

7-14 (b) Not later than the fifth ~~[10th]~~ day before the date of
7-15 the hearing required under Subsection (a), the commissioners court
7-16 of the county shall publish notice of the hearing in a newspaper of
7-17 general circulation in the county.

7-18 SECTION 26. Section 297.103(c), Health and Safety Code, is
7-19 amended to read as follows:

7-20 (c) Money deposited to the local provider participation
7-21 fund may be used only to:

7-22 (1) fund intergovernmental transfers from the county
7-23 to the state to provide:

7-24 (A) the nonfederal share of a Medicaid
7-25 supplemental payment program authorized under the state Medicaid
7-26 plan, the Texas Healthcare Transformation and Quality Improvement
7-27 Program waiver issued under Section 1115 of the federal Social
7-28 Security Act (42 U.S.C. Section 1315), or a successor waiver
7-29 program authorizing similar Medicaid supplemental payment
7-30 programs; or

7-31 (B) payments to Medicaid managed care
7-32 organizations that are dedicated for payment to hospitals;

7-33 (2) subsidize indigent programs;

7-34 (3) pay the administrative expenses of the county
7-35 solely for activities under this chapter;

7-36 (4) refund a portion of a mandatory payment collected
7-37 in error from a paying hospital; ~~and~~

7-38 (5) refund to paying hospitals the proportionate share
7-39 of money received by the county from the Health and Human Services
7-40 Commission that is not used to fund the nonfederal share of Medicaid
7-41 supplemental payment program payments; and

7-42 (6) refund to paying hospitals the proportionate share
7-43 of money that the county determines cannot be used to fund the
7-44 nonfederal share of Medicaid supplemental payment program
7-45 payments.

7-46 SECTION 27. Section 297.152, Health and Safety Code, is
7-47 amended to read as follows:

7-48 Sec. 297.152. ASSESSMENT AND COLLECTION OF MANDATORY
7-49 PAYMENTS. The county may collect or contract for the assessment and
7-50 collection of mandatory payments authorized under this chapter

7-51 ~~[(a) Except as provided by Subsection (b), the county tax~~
7-52 ~~assessor-collector shall collect the mandatory payment authorized~~
7-53 ~~under this chapter. The county tax assessor-collector shall charge~~
7-54 ~~and deduct from mandatory payments collected for the county a fee~~
7-55 ~~for collecting the mandatory payment in an amount determined by the~~
7-56 ~~commissioners court of the county, not to exceed the county tax~~
7-57 ~~assessor-collector's usual and customary charges.~~

7-58 ~~[(b) If determined by the commissioners court to be~~
7-59 ~~appropriate, the commissioners court may contract for the~~
7-60 ~~assessment and collection of mandatory payments in the manner~~
7-61 ~~provided by Title 1, Tax Code, for the assessment and collection of~~
7-62 ~~ad valorem taxes.~~

7-63 ~~[(c) Revenue from a fee charged by a county tax~~
7-64 ~~assessor-collector for collecting the mandatory payment shall be~~
7-65 ~~deposited in the county general fund and, if appropriate, shall be~~
7-66 ~~reported as fees of the county tax assessor-collector].~~

7-67 SECTION 28. This Act takes effect immediately if it
7-68 receives a vote of two-thirds of all the members elected to each
7-69 house, as provided by Section 39, Article III, Texas Constitution.

8-1 If this Act does not receive the vote necessary for immediate
8-2 effect, this Act takes effect September 1, 2017.

8-3

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