

By: Hinojosa

S.B. No. 1568

A BILL TO BE ENTITLED

AN ACT

relating to the filing of certain actions involving preauthorized medical care or health care services in the Medicaid program.

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

SECTION 1. Section 531.102(g)(9), Government Code, is amended by adding Subsection (9-a) to read as follows:

(9-a) The state may not file a civil action for fraud against a physician or health care provider for prior authorized medically necessary services unless the physician or provider has materially misrepresented the documentation relating to the medical or health care services or has substantially failed to perform the medical or health care services.

SECTION 2. The changes in law made by this Act apply only to a civil action commenced on or after the effective date of this Act. A civil action commenced before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

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