

BILL ANALYSIS

Senate Research Center

C.S.S.B. 2480
By: Kolkhorst
Health & Human Services
4/9/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Centers for Medicare and Medicaid Services (CMS) approved a five-year renewal of the Texas 1115 Transformation Waiver in 2017. The renewal continues Medicaid managed care statewide along with the Uncompensated Care (UC) pool and the Delivery System Reform Incentive Payment (DSRIP) program pool.

The current waiver plan reduces UC payments and eliminates DSRIP payments altogether. Considering the significant importance of these waiver programs and funding to the state's health care system, legislative oversight and guidance is needed to address the challenges presented by the current waiver agreement and the upcoming negotiations to renew the waiver in 2022.

S.B. 2480 would amend the Government Code, Chapter 531, to establish the Joint Medicaid Waiver Renewal Legislative Oversight Committee to provide this needed guidance and oversight. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2480 amends current law relating to the establishment of the Medicaid Waiver Legislative Oversight Committee.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 531, Government Code, by adding Section 531.172, as follows:

Sec. 531.172. MEDICAID WAIVER LEGISLATIVE OVERSIGHT COMMITTEE. (a) Defines "committee" and "Section 1115 waiver" for purposes of this section.

(b) Provides that the Medicaid Waiver Legislative Oversight Committee (committee) is created to oversee and advise the Health and Human Services Commission (HHSC) regarding the Section 1115 waiver and HHSC's negotiations with the Centers for Medicare and Medicaid Services or other appropriate federal agency to renew the waiver, including the extension or renewal of the uncompensated care pool and the transition plan for the delivery system that will succeed the Delivery System Reform Incentive Payment (DSRIP) program.

(c) Provides that the committee is composed of eight members, as follows:

(1) four members of the senate, appointed by the lieutenant governor; and

(2) four members of the house of representatives, appointed by the speaker of the house of representatives.

(d) Provides that a member of the committee serves at the pleasure of the appointing official.

(e) Requires the lieutenant governor and the speaker of the house of representatives to each designate a co-chair from among the committee members.

(f) Provides that a member of the committee is prohibited from receiving compensation for serving on the committee but is entitled to reimbursement for travel expenses incurred by the member while conducting the business of the committee as provided by the General Appropriations Act.

(g) Requires the committee to oversee the Section 1115 waiver and facilitate the design and development of the renewed waiver, meet at the call of the co-chairs, and research, take public testimony, and issue reports requested by the lieutenant governor or speaker of the house of representatives.

(h) Authorizes the committee to request reports and other information from HHSC.

(i) Requires the committee to use existing staff of the senate, the house of representatives, and the Texas Legislative Council to assist the committee in performing its duties under this section.

(j) Provides that on September 1, 2023, the committee is abolished and this section expires.

SECTION 2. Requires the lieutenant governor and the speaker of the house of representatives, not later than October 1, 2019, to appoint the members of the Medicaid Waiver Legislative Oversight Committee as required by Section 531.172(c), Government Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2019.