86R6646 JCG-F

By:  Zerwas H.B. No. 2966

A BILL TO BE ENTITLED

AN ACT

relating to facilities and services for the care of the elderly or persons with disabilities in certain municipal hospital authorities, hospital districts, or other authorities.

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

SECTION 1.  Sections 262.034(e), (f), and (g), Health and Safety Code, are amended to read as follows:

(e)  This section applies only to an authority:

(1)  that owns or operates a hospital licensed under Chapter 241 and that is located in:

(A) [~~(1)~~]  a county with a population of 225,000 or less;

(B) [~~(2)~~]  those portions of extended municipalities that the federal census bureau has determined to be rural;

(C) [~~(3)~~]  an area that is not delineated as an urbanized area by the federal census bureau; or

(D) [~~(4)~~]  a municipality with a population of less than 12,000 and a county with a population of 2.5 million or more at the time the authority begins operating a facility or providing a service described by Subsection (a); or

(2)  that owns or operates a facility described by Subsection (a) that participates in the Quality Incentive Payment Program (QIPP) or a successor Medicaid supplemental payment program.

(f)  This section does not authorize an authority described by Subsection (e)(1) [~~the authority~~] to issue revenue bonds or other notes in accordance with this chapter to construct, acquire, own, enlarge, improve, furnish, or equip a facility or service listed in Subsection (a) if a private provider of the facility or service is available and accessible in the service area of the authority.

(g)  An authority described by Subsection (e)(1)(D) [~~(e)(4)~~] may not own or operate more than 50 licensed nursing home beds under this section and is not subject to Subsection (f).

SECTION 2.  Sections 285.101(a) and (d), Health and Safety Code, are amended to read as follows:

(a)  This subchapter applies only to a hospital, hospital district, or authority created and operated under Article IX, Texas Constitution, under a special law, or under this title:

(1)  that is located in:

(A) [~~(1)~~]  a county with a population of 35,000 or less;

(B) [~~(2)~~]  those portions of extended municipalities that the federal census bureau has determined to be rural; or

(C) [~~(3)~~]  an area that is not delineated as an urbanized area by the federal census bureau; or

(2)  that owns or operates a facility described by Subsection (b) that participates in the Quality Incentive Payment Program (QIPP) or a successor Medicaid supplemental payment program.

(d)  This section does not authorize a hospital, hospital district, or authority described by Subsection (a)(1) to issue revenue bonds or other notes in accordance with this chapter to construct, acquire, own, enlarge, improve, furnish, or equip a facility or service listed in Subsection (b)(1) if a private provider of the facility or service is available and accessible in the service area of the hospital, hospital district, or authority.

SECTION 3.  This Act takes effect September 1, 2019.