86R10370 MM-D

By:  West S.B. No. 1191

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements regarding Medicaid fair hearings.

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

SECTION 1.  Subchapter A, Chapter 531, Government Code, is amended by adding Section 531.0194 to read as follows:

Sec. 531.0194.  MEDICAID FAIR HEARING REQUIREMENTS. (a) The executive commissioner by rule shall require a hearing officer who conducts a Medicaid fair hearing to be:

(1)  an advanced practice registered nurse, as defined by Section 301.152, Occupations Code; or

(2)  a health care provider with a higher level of education and training than an advanced practice registered nurse, as determined by the executive commissioner.

(b)  For each Medicaid fair hearing, the commission shall collect data regarding the hearing, including the identity and decision of the hearing officer. The commission shall publish the data collected under this subsection in a searchable format on the commission's Internet website, except that the commission may not publish information that identifies a Medicaid recipient involved in a Medicaid fair hearing or any information that is confidential under state or federal law.

SECTION 2.  If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

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