

By: Davis of Harris

H.B. No. 767

A BILL TO BE ENTITLED

AN ACT

relating to the evaluation of and reporting on certain Medicaid waiver projects.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.021111 to read as follows:

Sec. 531.021111. SECTION 1115 WAIVER PROJECTS: FINAL EVALUATION REPORTS; REPORT TO LEGISLATURE. (a) In this section:

(1) "Section 1115 waiver program" means a federally funded program of the state under Medicaid that is authorized under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315).

(2) "Waiver project" means any experimental, pilot, or demonstration project implemented by an entity other than a state agency and funded, wholly or partly, using federal money received under a Section 1115 waiver program.

(b) The commission shall require each entity that receives funding to implement a waiver project in this state to, not later than the 30th day after the date the period authorized for the project terminates and regardless of whether the project is continuing for another period, submit a final evaluation report to the commission. A final evaluation report must:

(1) be based on:

(A) quantitative research methods involving the

1 empirical investigation of the impact of key programmatic features  
2 of the waiver project; or

3 (B) if quantitative designs are technically  
4 infeasible or not well suited to the change sought by the waiver  
5 project, an alternative design approved by the commission;

6 (2) minimize the burden on recipients and project  
7 recipient privacy while ensuring the impact of the waiver project  
8 is measured;

9 (3) discuss the hypothesis being tested by the waiver  
10 project;

11 (4) discuss the data used to conduct the evaluation,  
12 including monitoring and reporting conducted during the waiver  
13 project and the methods used for collecting the data;

14 (5) include a description of how the effects of the  
15 waiver project are isolated from other factors that may contribute  
16 to the change sought; and

17 (6) include any other information the commission  
18 determines appropriate.

19 (c) The commission shall, as soon as practicable, but not  
20 later than the 30th day after the date the commission receives a  
21 final evaluation report under this section:

22 (1) submit a copy of the report along with the  
23 commission's recommendations regarding the continuation of the  
24 waiver project to the standing committees of the senate and house of  
25 representatives with jurisdiction over Medicaid; and

26 (2) make a copy of the report available to the public  
27 on the commission's Internet website.

1        (d) The commission's recommendations under Subsection  
2 (c)(1) must:

3            (1) include a statement regarding whether the waiver  
4 project should be modified in any manner, made permanent,  
5 eliminated, or extended to allow more time for review; and

6            (2) provide justification for the recommendations,  
7 including a detailed cost-benefit analysis of the waiver project.

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

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