

1-1 By: Phelan, et al. H.B. No. 1576
1-2 (Senate Sponsor - Buckingham, et al.)
1-3 (In the Senate - Received from the House April 26, 2019;
1-4 April 29, 2019, read first time and referred to Committee on Health
1-5 & Human Services; May 19, 2019, reported adversely, with favorable
1-6 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-7 May 19, 2019, sent to printer.)

1-8 COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	<u>Kolkhorst</u>	X			
1-11	<u>Perry</u>	X			
1-12	<u>Buckingham</u>	X			
1-13	<u>Campbell</u>	X			
1-14	<u>Flores</u>	X			
1-15	<u>Johnson</u>	X			
1-16	<u>Miles</u>	X			
1-17	<u>Powell</u>	X			
1-18	<u>Seliger</u>	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 1576 By: Buckingham

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to the delivery of certain transportation services under
1-23 Medicaid and certain other health and human services programs.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 531.001, Government Code, is amended by
1-26 adding Subdivision (4-c) to read as follows:

1-27 (4-c) "Medicaid managed care organization" means a
1-28 managed care organization as defined by Section 533.001 that
1-29 contracts with the commission under Chapter 533 to provide health
1-30 care services to Medicaid recipients.

1-31 SECTION 2. The heading to Section 531.02414, Government
1-32 Code, is amended to read as follows:

1-33 Sec. 531.02414. NONEMERGENCY TRANSPORTATION SERVICES UNDER
1-34 [ADMINISTRATION AND OPERATION OF] MEDICAL TRANSPORTATION PROGRAM.

1-35 SECTION 3. Section 531.02414(a), Government Code, is
1-36 amended by amending Subdivision (1) and adding Subdivisions (1-a)
1-37 and (3) to read as follows:

1-38 (1) "Medical transportation program" means the
1-39 program that provides nonemergency transportation services ~~to and~~
1-40 ~~from covered health care services, based on medical necessity,~~ to
1-41 recipients under Medicaid, subject to Subsection (a-1), the
1-42 children with special health care needs program, and the
1-43 transportation for indigent cancer patients program, who have no
1-44 other means of transportation.

1-45 (1-a) "Nonemergency transportation service" means
1-46 nonemergency medical transportation services authorized under:

1-47 (A) for a Medicaid recipient, the state Medicaid
1-48 plan; and

1-49 (B) for a recipient under another program
1-50 described by Subdivision (1), that program.

1-51 (3) "Transportation network company" has the meaning
1-52 assigned by Section 2402.001, Occupations Code.

1-53 SECTION 4. Section 531.02414, Government Code, is amended
1-54 by adding Subsections (a-1), (i), (j), (k), (l), and (m) and
1-55 amending Subsections (b), (e), and (f) to read as follows:

1-56 (a-1) This section does not apply to the provision of
1-57 nonemergency transportation services on or after September 1, 2020,
1-58 to a Medicaid recipient who is enrolled in a managed care plan
1-59 offered by a Medicaid managed care organization.

1-60 (b) Notwithstanding any other law, the commission shall

2-1 directly supervise the administration and operation of the medical
2-2 transportation program under this section.

2-3 (e) The executive commissioner shall adopt rules to ensure
2-4 the safe and efficient provision of nonemergency transportation
2-5 services under this section [~~the medical transportation program by~~
2-6 ~~regional contracted brokers and subcontractors of regional~~
2-7 ~~contracted brokers~~]. The rules must include:

2-8 (1) minimum standards regarding the physical
2-9 condition and maintenance of motor vehicles used to provide the
2-10 services, including standards regarding the accessibility of motor
2-11 vehicles by persons with disabilities;

2-12 (2) a requirement that a regional contracted broker
2-13 verify that each motor vehicle operator providing the services or
2-14 seeking to provide the services has a valid driver's license;

2-15 (3) a requirement that a regional contracted broker
2-16 check the driving record information maintained by the Department
2-17 of Public Safety under Subchapter C, Chapter 521, Transportation
2-18 Code, of each motor vehicle operator providing the services or
2-19 seeking to provide the services;

2-20 (4) a requirement that a regional contracted broker
2-21 check the public criminal record information maintained by the
2-22 Department of Public Safety and made available to the public
2-23 through the department's Internet website of each motor vehicle
2-24 operator providing the services or seeking to provide the services;
2-25 and

2-26 (5) training requirements for motor vehicle operators
2-27 providing the services through a regional contracted broker,
2-28 including training on the following topics:

2-29 (A) passenger safety;

2-30 (B) passenger assistance;

2-31 (C) assistive devices, including wheelchair
2-32 lifts, tie-down equipment, and child safety seats;

2-33 (D) sensitivity and diversity;

2-34 (E) customer service;

2-35 (F) defensive driving techniques; and

2-36 (G) prohibited behavior by motor vehicle
2-37 operators.

2-38 (f) Except as provided by Subsection (j), the [~~The~~]
2-39 commission shall require compliance with the rules adopted under
2-40 Subsection (e) in any contract entered into with a regional
2-41 contracted broker to provide nonemergency transportation services
2-42 under the medical transportation program.

2-43 (i) Emergency medical services personnel and emergency
2-44 medical services vehicles, as those terms are defined by Section
2-45 773.003, Health and Safety Code, may not provide nonemergency
2-46 transportation services under the medical transportation program.

2-47 (j) A regional contracted broker may subcontract with a
2-48 transportation network company to provide services under this
2-49 section. A rule or other requirement adopted by the executive
2-50 commissioner under Subsection (e) does not apply to the
2-51 subcontracted transportation network company or a motor vehicle
2-52 operator who is part of the company's network. The commission or
2-53 the regional contracted broker may not require a motor vehicle
2-54 operator who is part of the subcontracted transportation network
2-55 company's network to enroll as a Medicaid provider to provide
2-56 services under this section.

2-57 (k) The commission or a regional contracted broker that
2-58 subcontracts with a transportation network company under
2-59 Subsection (j) may require the transportation network company or a
2-60 motor vehicle operator who provides services under this section to
2-61 be periodically screened against the list of excluded individuals
2-62 and entities maintained by the Office of Inspector General of the
2-63 United States Department of Health and Human Services.

2-64 (l) Notwithstanding any other law, a motor vehicle operator
2-65 who is part of the network of a transportation network company that
2-66 subcontracts with a regional contracted broker under Subsection (j)
2-67 and who satisfies the driver requirements in Section 2402.107,
2-68 Occupations Code, is qualified to provide services under this
2-69 section. The commission and the regional contracted broker may not

3-1 impose any additional requirements on a motor vehicle operator who
 3-2 satisfies the driver requirements in Section 2402.107, Occupations
 3-3 Code, to provide services under this section.

3-4 (m) For purposes of this section and notwithstanding
 3-5 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
 3-6 operator who provides services under this section may use a
 3-7 wheelchair-accessible vehicle equipped with a lift or ramp that is
 3-8 capable of transporting passengers using a fixed-frame wheelchair
 3-9 in the cabin of the vehicle if the vehicle otherwise meets the
 3-10 requirements of Section 2402.111, Occupations Code.

3-11 SECTION 5. The heading to Section 533.00257, Government
 3-12 Code, is amended to read as follows:

3-13 Sec. 533.00257. DELIVERY OF MEDICAL TRANSPORTATION PROGRAM
 3-14 SERVICES THROUGH MANAGED TRANSPORTATION ORGANIZATION.

3-15 SECTION 6. Section 533.00257(a), Government Code, is
 3-16 amended by adding Subdivision (2-a) to read as follows:

3-17 (2-a) "Transportation network company" has the
 3-18 meaning assigned by Section 2402.001, Occupations Code.

3-19 SECTION 7. Section 533.00257, Government Code, is amended
 3-20 by amending Subsections (b), (d), and (g) and adding Subsections
 3-21 (k), (l), (m), and (n) to read as follows:

3-22 (b) ~~The [Subject to Subsection (i), the]~~ commission may
 3-23 [shall] provide medical transportation program services on a
 3-24 regional basis through a managed transportation delivery model
 3-25 using managed transportation organizations and providers, as
 3-26 appropriate, that:

3-27 (1) operate under a capitated rate system;
 3-28 (2) assume financial responsibility under a full-risk
 3-29 model;

3-30 (3) operate a call center;
 3-31 (4) use fixed routes when available and appropriate;
 3-32 and

3-33 (5) agree to provide data to the commission if the
 3-34 commission determines that the data is required to receive federal
 3-35 matching funds.

3-36 (d) Except as provided by Subsections (k) and (m), a [A]
 3-37 managed transportation organization that participates in the
 3-38 medical transportation program must attempt to contract with
 3-39 medical transportation providers that:

3-40 (1) are considered significant traditional providers,
 3-41 as defined by rule by the executive commissioner;

3-42 (2) meet the minimum quality and efficiency measures
 3-43 required under Subsection (g) and other requirements that may be
 3-44 imposed by the managed transportation organization; and

3-45 (3) agree to accept the prevailing contract rate of
 3-46 the managed transportation organization.

3-47 (g) Except as provided by Subsections (k) and (m), the [The]
 3-48 commission shall require that managed transportation organizations
 3-49 and providers participating in the medical transportation program
 3-50 meet minimum quality and efficiency measures as determined by the
 3-51 commission.

3-52 (k) A managed transportation organization may subcontract
 3-53 with a transportation network company to provide services under
 3-54 this section. A rule or other requirement adopted by the executive
 3-55 commissioner under this section or Section 531.02414 does not apply
 3-56 to the subcontracted transportation network company or a motor
 3-57 vehicle operator who is part of the company's network. The
 3-58 commission or the managed transportation organization may not
 3-59 require a motor vehicle operator who is part of the subcontracted
 3-60 transportation network company's network to enroll as a Medicaid
 3-61 provider to provide services under this section.

3-62 (l) The commission or a managed transportation organization
 3-63 that subcontracts with a transportation network company under
 3-64 Subsection (k) may require the transportation network company or a
 3-65 motor vehicle operator who provides services under this section to
 3-66 be periodically screened against the list of excluded individuals
 3-67 and entities maintained by the Office of Inspector General of the
 3-68 United States Department of Health and Human Services.

3-69 (m) Notwithstanding any other law, a motor vehicle operator

4-1 who is part of the network of a transportation network company that
 4-2 subcontracts with a managed transportation organization under
 4-3 Subsection (k) and who satisfies the driver requirements in Section
 4-4 2402.107, Occupations Code, is qualified to provide services under
 4-5 this section. The commission and the managed transportation
 4-6 organization may not impose any additional requirements on a motor
 4-7 vehicle operator who satisfies the driver requirements in Section
 4-8 2402.107, Occupations Code, to provide services under this section.

4-9 (n) For purposes of this section and notwithstanding
 4-10 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
 4-11 operator who provides services under this section may use a
 4-12 wheelchair-accessible vehicle equipped with a lift or ramp that is
 4-13 capable of transporting passengers using a fixed-frame wheelchair
 4-14 in the cabin of the vehicle if the vehicle otherwise meets the
 4-15 requirements of Section 2402.111, Occupations Code.

4-16 SECTION 8. Subchapter A, Chapter 533, Government Code, is
 4-17 amended by adding Sections 533.002571, 533.00258, and 533.002581 to
 4-18 read as follows:

4-19 Sec. 533.002571. DELIVERY OF NONEMERGENCY TRANSPORTATION
 4-20 SERVICES TO CERTAIN MEDICAID RECIPIENTS THROUGH MEDICAID MANAGED
 4-21 CARE ORGANIZATION. (a) In this section:

4-22 (1) "Nonemergency transportation service" has the
 4-23 meaning assigned by Section 531.02414.

4-24 (2) "Nonmedical transportation service" and
 4-25 "transportation network company" have the meanings assigned by
 4-26 Section 533.00258.

4-27 (b) The commission shall require each Medicaid managed care
 4-28 organization to arrange and provide nonemergency transportation
 4-29 services to a recipient enrolled in a managed care plan offered by
 4-30 the organization using the most cost-effective and cost-efficient
 4-31 method of delivery, including by delivering nonmedical
 4-32 transportation services through a transportation network company
 4-33 or other transportation vendor as provided by Section 533.002581,
 4-34 if available and medically appropriate. The commission shall
 4-35 supervise the provision of the services.

4-36 (c) Subject to Subsection (d), the executive commissioner
 4-37 shall adopt:

4-38 (1) rules applicable to the provision of nonemergency
 4-39 medical transportation services by a Medicaid managed care
 4-40 organization that impose the same standards and requirements as
 4-41 those adopted under Section 531.02414(e); and

4-42 (2) other rules as necessary to ensure the safe and
 4-43 efficient provision of nonemergency transportation services by a
 4-44 Medicaid managed care organization under this section.

4-45 (d) A Medicaid managed care organization may subcontract
 4-46 with a transportation network company to provide nonemergency
 4-47 transportation services under this section. A rule or other
 4-48 requirement adopted by the executive commissioner under Subsection
 4-49 (c) or Section 531.02414 does not apply to the subcontracted
 4-50 transportation network company or a motor vehicle operator who is
 4-51 part of the company's network. The commission or the Medicaid
 4-52 managed care organization may not require a motor vehicle operator
 4-53 who is part of the subcontracted transportation network company's
 4-54 network to enroll as a Medicaid provider to provide services under
 4-55 this section.

4-56 (e) The commission or a Medicaid managed care organization
 4-57 that subcontracts with a transportation network company under
 4-58 Subsection (d) may require the transportation network company or a
 4-59 motor vehicle operator who provides services under this section to
 4-60 be periodically screened against the list of excluded individuals
 4-61 and entities maintained by the Office of Inspector General of the
 4-62 United States Department of Health and Human Services.

4-63 (f) Notwithstanding any other law, a motor vehicle operator
 4-64 who is part of the network of a transportation network company that
 4-65 subcontracts with a Medicaid managed care organization under
 4-66 Subsection (d) and who satisfies the driver requirements in Section
 4-67 2402.107, Occupations Code, is qualified to provide services under
 4-68 this section. The commission and the Medicaid managed care
 4-69 organization may not impose any additional requirements on a motor

5-1 vehicle operator who satisfies the driver requirements in Section
5-2 2402.107, Occupations Code, to provide services under this section.

5-3 (g) For purposes of this section and notwithstanding
5-4 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
5-5 operator who provides services under this section may use a
5-6 wheelchair-accessible vehicle equipped with a lift or ramp that is
5-7 capable of transporting passengers using a fixed-frame wheelchair
5-8 in the cabin of the vehicle if the vehicle otherwise meets the
5-9 requirements of Section 2402.111, Occupations Code.

5-10 (h) The commission may temporarily waive the applicability
5-11 of Subsection (b) to a Medicaid managed care organization as
5-12 necessary based on the results of a review conducted under Section
5-13 533.007 and until enrollment of recipients in a managed care plan
5-14 offered by the organization is permitted under that section.

5-15 (i) The commission shall extend a contract for the provision
5-16 of nonemergency transportation services under Section 533.00257 or
5-17 other law as necessary until the requirements of this section are
5-18 implemented with respect to each Medicaid managed care
5-19 organization. This subsection expires September 1, 2023.

5-20 Sec. 533.00258. NONMEDICAL TRANSPORTATION SERVICES UNDER
5-21 MEDICAID MANAGED CARE PROGRAM. (a) In this section:

5-22 (1) "Nonmedical transportation service" means:

5-23 (A) curb-to-curb transportation to or from a
5-24 medically necessary, nonemergency covered health care service in a
5-25 standard passenger vehicle that is scheduled not more than 48 hours
5-26 before the transportation occurs, that is provided to a recipient
5-27 enrolled in a managed care plan offered by a Medicaid managed care
5-28 organization, and that the organization determines meets the level
5-29 of care that is medically appropriate for the recipient, including
5-30 transportation related to:

5-31 (i) discharge of a recipient from a health
5-32 care facility;

5-33 (ii) receipt of urgent care; and

5-34 (iii) obtaining pharmacy services and
5-35 prescription drugs; and

5-36 (B) any other transportation to or from a
5-37 medically necessary, nonemergency covered health care service the
5-38 commission considers appropriate to be provided by a transportation
5-39 vendor, as determined by commission rule or policy.

5-40 (2) "Transportation network company" has the meaning
5-41 assigned by Section 2402.001, Occupations Code.

5-42 (3) "Transportation vendor" means an entity,
5-43 including a transportation network company, that contracts with a
5-44 Medicaid managed care organization to provide nonmedical
5-45 transportation services.

5-46 (b) The executive commissioner shall adopt rules regarding
5-47 the manner in which nonmedical transportation services may be
5-48 arranged and provided.

5-49 (c) The rules must require a Medicaid managed care
5-50 organization to create a process to:

5-51 (1) verify that a passenger is eligible to receive
5-52 nonmedical transportation services;

5-53 (2) ensure that nonmedical transportation services
5-54 are provided only to and from covered health care services in areas
5-55 in which a transportation network company operates; and

5-56 (3) ensure the timely delivery of nonmedical
5-57 transportation services to a recipient, including by setting
5-58 reasonable service response goals.

5-59 (d) Before September 1, 2020, and subject to Section
5-60 533.002581(h), a rule adopted in accordance with Subsection (c)(3)
5-61 may not impose a penalty on a Medicaid managed care organization
5-62 that contracts with a transportation vendor under this section if
5-63 the vendor is unable to provide nonmedical transportation services
5-64 to a recipient after the Medicaid managed care organization has
5-65 made a specific request for those services.

5-66 (e) The rules must require a transportation vendor to,
5-67 before permitting a motor vehicle operator to provide nonmedical
5-68 transportation services:

5-69 (1) confirm that the operator:

6-1 (A) is at least 18 years of age;

6-2 (B) maintains a valid driver's license issued by

6-3 this state, another state, or the District of Columbia; and

6-4 (C) possesses proof of registration and

6-5 automobile financial responsibility for each motor vehicle to be

6-6 used to provide nonmedical transportation services;

6-7 (2) conduct, or cause to be conducted, a local, state,

6-8 and national criminal background check for the operator that

6-9 includes the use of:

6-10 (A) a commercial multistate and

6-11 multijurisdiction criminal records locator or other similar

6-12 commercial nationwide database; and

6-13 (B) the national sex offender public website

6-14 maintained by the United States Department of Justice or a

6-15 successor agency;

6-16 (3) confirm that any vehicle to be used to provide

6-17 nonmedical transportation services:

6-18 (A) meets the applicable requirements of Chapter

6-19 548, Transportation Code; and

6-20 (B) except as provided by Subsection (j), has at

6-21 least four doors; and

6-22 (4) obtain and review the operator's driving record.

6-23 (f) The rules may not permit a motor vehicle operator to

6-24 provide nonmedical transportation services if the operator:

6-25 (1) has been convicted in the three-year period

6-26 preceding the issue date of the driving record obtained under

6-27 Subsection (e)(4) of:

6-28 (A) more than three offenses classified by the

6-29 Department of Public Safety as moving violations; or

6-30 (B) one or more of the following offenses:

6-31 (i) fleeing or attempting to elude a police

6-32 officer under Section 545.421, Transportation Code;

6-33 (ii) reckless driving under Section

6-34 545.401, Transportation Code;

6-35 (iii) driving without a valid driver's

6-36 license under Section 521.025, Transportation Code; or

6-37 (iv) driving with an invalid driver's

6-38 license under Section 521.457, Transportation Code;

6-39 (2) has been convicted in the preceding seven-year

6-40 period of any of the following:

6-41 (A) driving while intoxicated under Section

6-42 49.04 or 49.045, Penal Code;

6-43 (B) use of a motor vehicle to commit a felony;

6-44 (C) a felony crime involving property damage;

6-45 (D) fraud;

6-46 (E) theft;

6-47 (F) an act of violence; or

6-48 (G) an act of terrorism; or

6-49 (3) is found to be registered in the national sex

6-50 offender public website maintained by the United States Department

6-51 of Justice or a successor agency.

6-52 (g) The commission may not require:

6-53 (1) a motor vehicle operator to enroll as a Medicaid

6-54 provider to provide nonmedical transportation services; or

6-55 (2) a Medicaid managed care organization to credential

6-56 a motor vehicle operator to provide nonmedical transportation

6-57 services.

6-58 (h) The commission or a Medicaid managed care organization

6-59 that contracts with a transportation vendor may require the

6-60 transportation vendor or a motor vehicle operator who provides

6-61 services under this section to be periodically screened against the

6-62 list of excluded individuals and entities maintained by the Office

6-63 of Inspector General of the United States Department of Health and

6-64 Human Services.

6-65 (i) Notwithstanding any other law, a motor vehicle operator

6-66 who is part of a transportation network company's network and who

6-67 satisfies the driver requirements in Section 2402.107, Occupations

6-68 Code, is qualified to provide nonmedical transportation services.

6-69 The commission and a Medicaid managed care organization may not

7-1 impose any additional requirements on a motor vehicle operator who
 7-2 satisfies the driver requirements in Section 2402.107, Occupations
 7-3 Code, to provide nonmedical transportation services.

7-4 (j) For purposes of this section and notwithstanding
 7-5 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
 7-6 operator who provides services under this section may use a
 7-7 wheelchair-accessible vehicle equipped with a lift or ramp that is
 7-8 capable of transporting passengers using a fixed-frame wheelchair
 7-9 in the cabin of the vehicle if the vehicle otherwise meets the
 7-10 requirements of Section 2402.111, Occupations Code.

7-11 Sec. 533.002581. DELIVERY OF NONMEDICAL TRANSPORTATION
 7-12 SERVICES UNDER MEDICAID MANAGED CARE PROGRAM. (a) In this section,
 7-13 "nonmedical transportation service" and "transportation vendor"
 7-14 have the meanings assigned by Section 533.00258.

7-15 (b) The commission shall designate managed care service
 7-16 areas in which to require, beginning not later than January 1, 2020,
 7-17 each Medicaid managed care organization with which the commission
 7-18 has a contract that is anticipated to be in effect on September 1,
 7-19 2020, and that operates in a designated service area to arrange for
 7-20 the provision of nonmedical transportation services to recipients
 7-21 enrolled in a managed care plan offered by the organization. The
 7-22 commission shall designate at least three, but not more than four,
 7-23 managed care service areas for purposes of this subsection. At
 7-24 least one of the designated service areas must be located in an
 7-25 urban service area, and at least one must be located in a rural
 7-26 service area. This subsection expires September 1, 2021.

7-27 (c) The commission shall require each Medicaid managed care
 7-28 organization to arrange for the provision of nonmedical
 7-29 transportation services to recipients enrolled in a managed care
 7-30 plan offered by the organization.

7-31 (d) A Medicaid managed care organization may contract with a
 7-32 transportation vendor or other third party to arrange for the
 7-33 provision of nonmedical transportation services. If a Medicaid
 7-34 managed care organization contracts with a third party that is not a
 7-35 transportation vendor to arrange for the provision of nonmedical
 7-36 transportation services, the third party shall contract with a
 7-37 transportation vendor to deliver the nonmedical transportation
 7-38 services.

7-39 (e) A Medicaid managed care organization that contracts
 7-40 with a transportation vendor or other third party to arrange for the
 7-41 provision of nonmedical transportation services shall ensure the
 7-42 effective sharing and integration of service coordination, service
 7-43 authorization, and utilization management data between the managed
 7-44 care organization and the transportation vendor or third party.

7-45 (f) A Medicaid managed care organization may not require:
 7-46 (1) a motor vehicle operator to enroll as a Medicaid
 7-47 provider to provide nonmedical transportation services; or
 7-48 (2) the credentialing of a motor vehicle operator to
 7-49 provide nonmedical transportation services.

7-50 (g) For purposes of this section and notwithstanding
 7-51 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
 7-52 operator who provides services under this section may use a
 7-53 wheelchair-accessible vehicle equipped with a lift or ramp that is
 7-54 capable of transporting passengers using a fixed-frame wheelchair
 7-55 in the cabin of the vehicle if the vehicle otherwise meets the
 7-56 requirements of Section 2402.111, Occupations Code.

7-57 (h) The commission may waive the applicability of
 7-58 Subsection (c) to a Medicaid managed care organization for not more
 7-59 than three months as necessary based on the results of a review
 7-60 conducted under Section 533.007 and until enrollment of recipients
 7-61 in a managed care plan offered by the organization is permitted
 7-62 under that section.

7-63 SECTION 9. Section 533.00257(i), Government Code, is
 7-64 repealed.

7-65 SECTION 10. Notwithstanding Sections 533.002571(b) and
 7-66 533.002581(b), Government Code, as added by this Act, the Health
 7-67 and Human Services Commission is not required to implement those
 7-68 subsections until September 1, 2020.

7-69 SECTION 11. If before implementing any provision of this

8-1 Act a state agency determines that a waiver or authorization from a
8-2 federal agency is necessary for implementation of that provision,
8-3 the agency affected by the provision shall request the waiver or
8-4 authorization and may delay implementing that provision until the
8-5 waiver or authorization is granted.

8-6 SECTION 12. As soon as practicable after the effective date
8-7 of this Act, the executive commissioner of the Health and Human
8-8 Services Commission shall adopt rules as necessary to implement the
8-9 changes in law made by this Act.

8-10 SECTION 13. This Act takes effect immediately if it
8-11 receives a vote of two-thirds of all the members elected to each
8-12 house, as provided by Section 39, Article III, Texas Constitution.
8-13 If this Act does not receive the vote necessary for immediate
8-14 effect, this Act takes effect September 1, 2019.

8-15

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