

By: Guerra

H.B. No. 2062

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision and reimbursement of home telemonitoring
3 services under Medicaid.

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

5 SECTION 1. Section [531.02164](#), Government Code, is amended
6 by amending Subsection (c) and adding Subsections (c-1) and (c-2)
7 to read as follows:

8 (c) The program established [~~required~~] under this section
9 must:

10 (1) provide that home telemonitoring services are
11 available only to a person [~~persons~~] who:

12 (A) is [~~are~~] diagnosed with one or more of the
13 following conditions:

- 14 (i) pregnancy;
- 15 (ii) diabetes;
- 16 (iii) heart disease;
- 17 (iv) cancer;
- 18 (v) chronic obstructive pulmonary disease;
- 19 (vi) hypertension;
- 20 (vii) congestive heart failure;
- 21 (viii) mental illness or serious emotional
22 disturbance;
- 23 (ix) asthma;
- 24 (x) myocardial infarction; or

1 (xi) stroke; and

2 (B) exhibits [~~exhibit~~] two or more of the
3 following risk factors:

4 (i) two or more hospitalizations in the
5 prior 12-month period;

6 (ii) frequent or recurrent emergency room
7 admissions;

8 (iii) a documented history of poor
9 adherence to ordered medication regimens;

10 (iv) a documented history of falls in the
11 prior six-month period;

12 (v) limited or absent informal support
13 systems;

14 (vi) living alone or being home alone for
15 extended periods of time; and

16 (vii) a documented history of care access
17 challenges;

18 (2) ensure that clinical information gathered by a
19 home and community support services agency or hospital while
20 providing home telemonitoring services is shared with the patient's
21 physician; [~~and~~]

22 (3) ensure that the program does not duplicate disease
23 management program services provided under Section [32.057](#), Human
24 Resources Code; and

25 (4) provide reimbursement for home telemonitoring
26 services in the event of an unsuccessful data transmission if the
27 provider of the services attempts to communicate with the patient

1 by telephone or in person to establish a successful data
2 transmission.

3 (c-1) Notwithstanding Subsection (c)(1), the program
4 established under this section may also provide that home
5 telemonitoring services are available to pediatric patients with
6 chronic or complex medical needs who:

7 (1) are being concurrently treated by at least three
8 medical specialists;

9 (2) are diagnosed with end-stage solid organ disease;

10 (3) have received an organ transplant; or

11 (4) are diagnosed with severe asthma.

12 (c-2) A provider that is reimbursed under Subsection (c)(4)
13 for home telemonitoring services provided to a patient may not also
14 be reimbursed for communicating with the patient by telephone or in
15 person to establish a successful data transmission as described by
16 Subsection (c)(4).

17 SECTION 2. Section 531.02176, Government Code, is repealed.

18 SECTION 3. As soon as practicable after the effective date
19 of this Act, the executive commissioner of the Health and Human
20 Services Commission shall adopt necessary rules to implement the
21 changes in law made by this Act.

22 SECTION 4. If before implementing any provision of this Act
23 a state agency determines that a waiver or authorization from a
24 federal agency is necessary for implementation of that provision,
25 the agency affected by the provision shall request the waiver or
26 authorization and may delay implementing that provision until the
27 waiver or authorization is granted.

1 SECTION 5. This Act takes effect September 1, 2019.