

By: Zerwas

H.B. No. 2966

A BILL TO BE ENTITLED

1 AN ACT
2 relating to facilities and services for the care of the elderly or
3 persons with disabilities in certain municipal hospital
4 authorities, hospital districts, or other authorities.

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

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

8 (e) This section applies only to an authority:

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

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

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

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

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

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

1 program.

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

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

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

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

17 (1) that is located in:

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

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

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

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

1 program.

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

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