

By: Muñoz, Jr.

H.B. No. 3700

A BILL TO BE ENTITLED

AN ACT

relating to the provision of Medicaid benefits under a fee-for-service delivery model.

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

SECTION 1. Section 32.0212, Human Resources Code, is amended to read as follows:

Sec. 32.0212. DELIVERY OF MEDICAL ASSISTANCE. (a) Notwithstanding any other law and subject to Subsection (b) ~~[Section 533.0025, Government Code]~~, the commission shall provide medical assistance solely through a fee-for-service delivery model ~~[for acute care services through the Medicaid managed care system implemented under Chapter 533, Government Code, or another Medicaid capitated managed care program]~~.

(b) Not later than September 1, 2021, the commission shall complete the transition of the delivery of medical assistance under a managed care delivery model to the fee-for-service model used to deliver medical assistance before the implementation of managed care delivery models, including before the implementation of the changes in law relating to the delivery of medical assistance benefits through a managed care delivery model under:

(1) Chapter 7 (S.B. 7), Acts of the 82nd Legislature, 1st Called Session, 2011; and

(2) Chapter 1310 (S.B. 7), Acts of the 83rd Legislature, Regular Session, 2013.

1 (c) The executive commissioner by rule shall adopt a
2 transition plan for purposes of implementing this section.

3 (d) Not later than November 1, 2020, the commission shall
4 submit a report to the governor, lieutenant governor, speaker of
5 the house of representatives, and the legislature regarding the
6 transition plan required by Subsection (c) and the implementation
7 of this section together with any recommendations regarding
8 required legislation.

9 (e) To the extent practicable considering the differences
10 between the fee-for-service and managed care delivery models for
11 delivering medical assistance, a provision of law requiring or
12 authorizing an action under the managed care delivery model shall
13 be construed as applying to the fee-for-service delivery model, and
14 the commission shall make or allow any modifications necessary for
15 that construction.

16 SECTION 2. Effective September 1, 2021, Chapters 533 and
17 534, Government Code, are repealed.

18 SECTION 3. If before implementing any provision of this Act
19 a state agency determines that a waiver or authorization from a
20 federal agency is necessary for implementation of that provision,
21 the agency affected by the provision shall request the waiver or
22 authorization and may delay implementing that provision until the
23 waiver or authorization is granted.

24 SECTION 4. This Act takes effect September 1, 2019.