

By: Menéndez

S.B. No. 1177

A BILL TO BE ENTITLED

AN ACT

1
2 relating to offering certain evidence-based practices in lieu of
3 other mental health services by a Medicaid managed care
4 organization.

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

6 SECTION 1. Section 533.005, Government Code, is amended by
7 adding Subsection (g) to read as follows:

8 (g) In addition to the requirements specified by Subsection
9 (a), a contract described by that subsection must contain language
10 permitting a managed care organization to offer medically
11 appropriate, cost-effective, evidence-based practices, authorized
12 by the commission under the contract, in lieu of mental health
13 services specified in the state Medicaid plan. A recipient is not
14 required to use a practice authorized under this subsection in lieu
15 of another mental health service specified in the state Medicaid
16 plan. The commission shall take into consideration the actual cost
17 and use of any practices described by this subsection that are
18 offered by a managed care organization when setting the capitation
19 rates for that organization under the contract.

20 SECTION 2. Section 533.005, Government Code, as amended by
21 this Act, applies to a contract entered into or renewed on or after
22 the effective date of this Act. A contract entered into or renewed
23 before that date is governed by the law in effect on the date the
24 contract was entered into or renewed, and that law is continued in

1 effect for that purpose.

2 SECTION 3. If before implementing any provision of this Act
3 a state agency determines that a waiver or authorization from a
4 federal agency is necessary for implementation of that provision,
5 the agency affected by the provision shall request the waiver or
6 authorization and may delay implementing that provision until the
7 waiver or authorization is granted.

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