

By: Kolkhorst

S.B. No. 1621

A BILL TO BE ENTITLED

AN ACT

relating to creating a license for certain rural medical facilities; requiring a license; authorizing fees.

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

SECTION 1. Chapter 241, Health and Safety Code, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. LIMITED SERVICES RURAL HOSPITAL

Sec. 241.301. DEFINITION. In this subchapter, "limited services rural hospital" means a general hospital that is or was licensed under this chapter that:

(1) is located in a rural area, as defined by 42 U.S.C. Section 1395ww(d)(2)(D);

(2) is owned by a hospital district or hospital authority; and

(3) otherwise meets the requirements to be designated as a limited services rural hospital or a similarly designated hospital under federal law.

Sec. 241.302. LICENSE REQUIRED; FEES. (a) A person may not establish, conduct, or maintain a limited services rural hospital unless:

(1) the United States Congress passes a bill creating a payment program specifically for limited services rural hospitals or similarly designated hospitals that becomes law; and

(2) the commission issues a license to the person to

1 establish, conduct, or maintain a limited services rural hospital
2 under this subchapter.

3 (b) If the United States Congress enacts a bill described by
4 Subsection (a)(1) that becomes law, the commission shall adopt
5 rules:

6 (1) establishing minimum standards for the
7 facilities; and

8 (2) implementing this section.

9 (c) The standards adopted under Subsection (b) must be at
10 least as stringent as the standards established in the law
11 described by Subsection (a) for eligibility to qualify for a
12 payment program established by the law.

13 (d) An applicant for a license under this section must:

14 (1) submit an application for the license to the
15 commission in a form and manner prescribed by the commission; and

16 (2) pay any required fee.

17 (e) The commission shall issue a license to act as a limited
18 services rural hospital under this subchapter if the applicant
19 complies with the rules and standards adopted under this section.

20 (f) The commission by order may waive or modify the
21 requirement of a particular provision of this chapter or a standard
22 adopted under this section if the commission determines that the
23 waiver or modification will facilitate the creation or operation of
24 the facility and that the waiver or modification is in the best
25 interests of the individuals served or to be served by the facility.

26 Sections 241.026(d) and (e) apply to a waiver or modification under
27 this section for a limited services rural hospital in the same

1 manner as the subsections apply to a waiver or modification for a
2 hospital.

3 (g) A provision of this chapter related to the enforcement
4 authority of the commission applies to a limited services rural
5 hospital.

6 SECTION 2. This Act takes effect September 1, 2019.