

1-1 By: Kolkhorst S.B. No. 1621
 1-2 (In the Senate - Filed March 6, 2019; March 14, 2019, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 April 1, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 1, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1621 By: Seliger

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to creating a license for certain rural medical
 1-22 facilities; requiring a license; authorizing fees.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 241, Health and Safety Code, is amended
 1-25 by adding Subchapter K to read as follows:

1-26 SUBCHAPTER K. LIMITED SERVICES RURAL HOSPITAL

1-27 Sec. 241.301. DEFINITION. In this subchapter, "limited
 1-28 services rural hospital" means a general or special hospital that
 1-29 is or was licensed under this chapter and that:

1-30 (1) is:

1-31 (A) located in a rural area, as defined by:

1-32 (i) commission rule; or

1-33 (ii) 42 U.S.C. Section 1395ww(d)(2)(D); or

1-34 (B) designated by the Centers for Medicare and
 1-35 Medicaid Services as a critical access hospital, rural referral
 1-36 center, or sole community hospital; and

1-37 (2) otherwise meets the requirements to be designated
 1-38 as a limited services rural hospital or a similarly designated
 1-39 hospital under federal law for purposes of a payment program
 1-40 described by Section 241.302(a)(1).

1-41 Sec. 241.302. LICENSE REQUIRED. (a) A person may not
 1-42 establish, conduct, or maintain a limited services rural hospital
 1-43 unless:

1-44 (1) the United States Congress passes a bill creating
 1-45 a payment program specifically for limited services rural hospitals
 1-46 or similarly designated hospitals that becomes law; and

1-47 (2) the commission issues a license to the person to
 1-48 establish, conduct, or maintain a limited services rural hospital
 1-49 under this subchapter.

1-50 (b) If the United States Congress enacts a bill described by
 1-51 Subsection (a)(1) that becomes law, the executive commissioner
 1-52 shall adopt rules:

1-53 (1) establishing minimum standards for the
 1-54 facilities; and

1-55 (2) implementing this section.

1-56 (c) The standards adopted under Subsection (b) must be at
 1-57 least as stringent as the standards established in the law
 1-58 described by Subsection (a) for eligibility to qualify for a
 1-59 payment program established by the law.

1-60 (d) An applicant for a license under this section must:

2-1 (1) submit an application for the license to the
2-2 commission in a form and manner prescribed by the commission; and

2-3 (2) pay any required fee.

2-4 (e) The commission shall issue a license to act as a limited
2-5 services rural hospital under this subchapter if the applicant
2-6 complies with the rules and standards adopted under this section.

2-7 (f) The commission by order may waive or modify the
2-8 requirement of a particular provision of this chapter or a standard
2-9 adopted under this section if the commission determines that the
2-10 waiver or modification will facilitate the creation or operation of
2-11 the facility and that the waiver or modification is in the best
2-12 interests of the individuals served or to be served by the facility.
2-13 Sections 241.026(d) and (e) apply to a waiver or modification under
2-14 this section for a limited services rural hospital in the same
2-15 manner as the subsections apply to a waiver or modification for a
2-16 hospital.

2-17 (g) A provision of this chapter related to the enforcement
2-18 authority of the commission applies to a limited services rural
2-19 hospital.

2-20 Sec. 241.303. LICENSING FEE. (a) The executive
2-21 commissioner by rule shall establish and the commission shall
2-22 collect a fee for issuing and renewing a license under this
2-23 subchapter that is in an amount reasonable and necessary to cover
2-24 the costs of administering and enforcing this subchapter.

2-25 (b) All fees collected under this section shall be deposited
2-26 in the state treasury to the credit of the commission to administer
2-27 and enforce this subchapter.

2-28 SECTION 2. This Act takes effect September 1, 2019.

2-29 * * * * *