

By: Miles
(Miller, Thompson of Harris)

S.B. No. 2021

Substitute the following for S.B. No. 2021:

By: Deshotel

C.S.S.B. No. 2021

A BILL TO BE ENTITLED

AN ACT

relating to providing access to local health departments and certain health service regional offices under Medicaid.

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

SECTION 1. Section 32.003, Human Resources Code, is amended by adding Subdivisions (2) and (3) to read as follows:

(2) "Health service regional office" means an office located in a public health region and administered by a regional director under Section 121.007, Health and Safety Code.

(3) "Local health department" means a local health department established under Subchapter D, Chapter 121, Health and Safety Code.

SECTION 2. Section 32.024, Human Resources Code, is amended by adding Subsection (11) to read as follows:

(11) The executive commissioner shall establish a separate provider type for local health departments, including health service regional offices acting in the capacity of local health departments, for purposes of enrollment as a provider for and reimbursement under the medical assistance program.

SECTION 3. Section 32.101(2), Human Resources Code, is amended to read as follows:

(2) "Health care provider" means a person, other than a physician, who:

(A) is licensed or otherwise authorized to

1 provide a health care service in this state, including:

2 (i) a pharmacist, dentist, optometrist,
3 mental health counselor, social worker, advanced practice nurse,
4 physician assistant, or durable medical equipment supplier; ~~or~~

5 (ii) a pharmacy, hospital, or other
6 institution or organization; or

7 (iii) a local health department or a health
8 service regional office acting in the capacity of a local health
9 department in a public health region;

10 (B) is wholly owned or controlled by:

11 (i) a health care provider or a group of
12 health care providers described by Paragraph (A); or

13 (ii) one or more hospitals and physicians,
14 including a physician-hospital organization;

15 (C) is a professional association of physicians
16 organized under the Texas Professional Association Law, as
17 described by Section 1.008, Business Organizations Code;

18 (D) is an approved nonprofit health corporation
19 certified under Chapter 162, Occupations Code;

20 (E) is a medical and dental unit, as defined by
21 Section 61.003, Education Code, a medical school, as defined by
22 Section 61.501, Education Code, or a health science center
23 described by Subchapter K, Chapter 74, Education Code, that employs
24 or contracts with physicians to teach or provide medical services,
25 or employs physicians and contracts with physicians in a practice
26 plan; or

27 (F) is another person wholly owned by physicians.

1 SECTION 4. The Health and Human Services Commission is
2 required to implement a provision of this Act only if the
3 legislature appropriates money to the commission specifically for
4 that purpose. If the legislature does not appropriate money
5 specifically for that purpose, the commission may, but is not
6 required to, implement a provision of this Act using other
7 appropriations that are available for that purpose.

8 SECTION 5. If before implementing any provision of this Act
9 a state agency determines that a waiver or authorization from a
10 federal agency is necessary for implementation of that provision,
11 the agency affected by the provision shall request the waiver or
12 authorization and may delay implementing that provision until the
13 waiver or authorization is granted.

14 SECTION 6. This Act takes effect September 1, 2020.