

BILL ANALYSIS

H.B. 2365
By: Lopez
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised over the fact that certain military medical treatment facilities and affiliated health care providers, such as Brooke Army Medical Center in San Antonio, are not considered providers under Medicaid for purposes of providing and receiving reimbursement for inpatient emergency services and certain related outpatient services. H.B. 2365 seeks to address these concerns by establishing that such a facility is considered a Medicaid provider for those purposes and by prohibiting the Health and Human Services Commission from limiting the period of time a Medicaid recipient may receive inpatient emergency services from a military medical treatment facility that is a hospital.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2365 amends the Human Resources Code to establish that a military medical treatment facility located in Texas that has been verified as a Level 1 trauma center by the American College of Surgeons or an equivalent organization, or a health care provider providing services at such a facility, is considered a Medicaid provider for purposes of providing and receiving reimbursement for the following services:

- inpatient emergency services; and
- related outpatient services to the extent those services are not available from an enrolled Medicaid provider at the time the services are needed.

If a Medicaid recipient experiences an injury for which the recipient receives inpatient emergency services from a military medical treatment facility that is a hospital, the Health and Human Services Commission may not impose a 30-day spell of illness limitation or other requirement that limits the period of time the recipient may receive those services.

EFFECTIVE DATE

September 1, 2021.