

BILL ANALYSIS

Senate Research Center
87R13987 TYPED

S.B. 1648
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Medically Dependent Children's Program (MDCP) is a program within Star Kids. The program offers enhanced, community-based services for individuals who need the level of care provided in a nursing facility but who would like to remain in the community. The program currently serves more than 5,000.

Last session, S.B. 1207 offered numerous reforms to the MDCP program. One of the sections dealt with how a managed care organizations coordinates benefits for the enrollee. There were a few subsections addressing enrollees who are covered under Medicaid as well as primary third party coverage. One section addressing continuity of care was drafted to be and intended to be for all enrollees regardless of primary third party coverage. However, because all of the subsections addressing coordination of care appeared in the same section, it was interpreted that the provision, which was intended to apply to all, would only be contingent upon primary third party coverage.

S.B. 1648 clarifies that continuity of care applies whether the enrollee is also covered under third party primary or not.

As proposed, S.B. 1648 amends current law relating to the provision of certain benefits under Medicaid, including the coordination of private health benefits, and to reimbursement for some of those benefits.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 533.038(g), Government Code, to require the Health and Human Services Commission to develop a clear and easy process, to be implemented through a contract, that allows a recipient with complex medical needs, regardless of whether the recipient has primary health benefit plan coverage, who has established a relationship with a specialty provider to continue receiving care from that provider.

SECTION 2. Repealer: Section 531.0601(f) (relating to providing that Section 531.0601 (Long-Term Care Services Waiver Program Interest Lists) expires December 1, 2021), Government Code.

SECTION 3. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes delay of implementation until such a waiver or authorization is granted.

SECTION 4. Effective date: September 1, 2021.