By:  Raymond H.B. No. 4047

A BILL TO BE ENTITLED

AN ACT

relating to claims processes and reimbursement for, and overpayment recoupment processes imposed on, health care providers under Medicaid.

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

SECTION 1.  Section 531.1135(c), Government Code, is amended to read as follows:

(c)  Notwithstanding any other law, a managed care organization may not attempt to recover an overpayment described by Subsection (a) until:

(1)  the provider has exhausted all rights to an appeal; and

(2)  the office of the inspector general has issued a final determination.

SECTION 2.  Section 531.024172(d), Government Code, is amended to read as follows:

(d)  In implementing the electronic visit verification system:

(1)  subject to Subsection (e), the executive commissioner shall adopt compliance standards for health care providers; and

(2)  the commission shall ensure that:

(A)  the information required to be reported by health care providers is standardized across managed care organizations that contract with the commission to provide health care services to Medicaid recipients and across commission programs;

(B)  processes required by managed care organizations to retrospectively correct data are standardized and publicly accessible to health care providers; [~~and~~]

(C)  standardized processes are established for addressing the failure of a managed care organization to provide a timely authorization for delivering services necessary to ensure continuity of care; and

(D)  a health care provider is allowed to:

(i)  enter a variable schedule into the electronic visit verification system,

(ii)  submit a claim to be reimbursed for an amount of time that is less than the verified amount of time; and

(iii)  correct claims denied by a managed care organization within 95 days of the date of denial.

SECTION 3.  If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 5.  This Act takes effect September 1, 2021.