

By: Gervin-Hawkins

H.B. No. 1263

A BILL TO BE ENTITLED

AN ACT

relating to reimbursement of health care providers under Medicaid.

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

SECTION 1. Subchapter A, Chapter 533, Government Code, is amended by adding Section 533.0068 to read as follows:

Sec. 533.0068. PROVIDER NEGOTIATIONS. The commission shall establish a process to allow a health care provider who provides health care services to recipients to negotiate with a Medicaid managed care organization reimbursement rates that are comparable to prevailing market rates. The commission shall include the process in each contract between a managed care organization and the commission in addition to all other contract provisions required by this chapter.

SECTION 2. The heading to Section 32.029, Human Resources Code, is amended to read as follows:

Sec. 32.029. METHODS AND TIME FOR ~~[OF]~~ PAYMENT.

SECTION 3. Section 32.029, Human Resources Code, is amended by adding Subsection (f) to read as follows:

(f) Subject to Subsection (d), the commission shall ensure that, for any claim for medical assistance payment that is received with documentation reasonably necessary for the payor to process the claim, payment to a health care provider is made:

(1) not later than the 45th day after the date the claim is received; or

1 (2) within a period specified by a written agreement
2 between the health care provider and the payor.

3 SECTION 4. The Health and Human Services Commission shall,
4 in a contract between the commission and a managed care
5 organization under Chapter 533, Government Code, that is entered
6 into or renewed on or after the effective date of this Act, require
7 that the managed care organization comply with the process
8 established under Section 533.0068, Government Code, as added by
9 this Act.

10 SECTION 5. Section 32.029, Human Resources Code, as amended
11 by this Act, applies to a claim for payment received on or after the
12 effective date of this Act. A claim for payment received before the
13 effective date of this Act is governed by the law in effect on the
14 date the claim was received, and the former law is continued in
15 effect for that purpose.

16 SECTION 6. If before implementing any provision of this Act
17 a state agency determines that a waiver or authorization from a
18 federal agency is necessary for implementation of that provision,
19 the agency affected by the provision shall request the waiver or
20 authorization and may delay implementing that provision until the
21 waiver or authorization is granted.

22 SECTION 7. This Act takes effect September 1, 2021.