

By: Lopez

H.B. No. 2365

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the participation and reimbursement of certain military  
3 medical treatment facilities and affiliated health care providers  
4 under Medicaid.

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

6 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,  
7 is amended by adding Section 32.0275 to read as follows:

8 Sec. 32.0275. MILITARY MEDICAL TREATMENT FACILITIES AND  
9 AFFILIATED HEALTH CARE PROVIDERS; REIMBURSEMENT. (a) In this  
10 section, "military medical treatment facility" means a military  
11 medical treatment facility described by 10 U.S.C. Section 1073d(b),  
12 (c), or (d).

13 (b) This section applies only to a military medical  
14 treatment facility located in this state that has been verified as a  
15 Level 1 trauma center by the American College of Surgeons or an  
16 equivalent organization.

17 (c) A military medical treatment facility or a health care  
18 provider providing services at a military medical treatment  
19 facility is considered a provider under Medicaid for purposes of  
20 providing and receiving reimbursement for:

21 (1) inpatient emergency services; and

22 (2) related outpatient services to the extent those  
23 services are not available from an enrolled Medicaid provider at  
24 the time the services are needed.

1        (d) If a Medicaid recipient experiences an injury for which  
2 the recipient receives inpatient emergency services from a military  
3 medical treatment facility that is a hospital, the commission may  
4 not impose a 30-day spell of illness limitation or other  
5 requirement that limits the period of time the recipient may  
6 receive those services.

7        SECTION 2. If before implementing any provision of this Act  
8 a state agency determines that a waiver or authorization from a  
9 federal agency is necessary for implementation of that provision,  
10 the agency affected by the provision shall request the waiver or  
11 authorization and may delay implementing that provision until the  
12 waiver or authorization is granted.

13        SECTION 3. This Act takes effect September 1, 2021.