

1-1 By: Lopez (Senate Sponsor - Campbell) H.B. No. 2365  
 1-2 (In the Senate - Received from the House May 6, 2021;  
 1-3 May 17, 2021, read first time and referred to Committee on Health &  
 1-4 Human Services; May 21, 2021, reported favorably by the following  
 1-5 vote: Yeas 9, Nays 0; May 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the participation and reimbursement of certain military  
 1-20 medical treatment facilities and affiliated health care providers  
 1-21 under Medicaid.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,  
 1-24 is amended by adding Section 32.0275 to read as follows:

1-25 Sec. 32.0275. MILITARY MEDICAL TREATMENT FACILITIES AND  
 1-26 AFFILIATED HEALTH CARE PROVIDERS; REIMBURSEMENT. (a) In this  
 1-27 section, "military medical treatment facility" means a military  
 1-28 medical treatment facility described by 10 U.S.C. Section 1073d(b),  
 1-29 (c), or (d).

1-30 (b) This section applies only to a military medical  
 1-31 treatment facility located in this state that has been verified as a  
 1-32 Level 1 trauma center by the American College of Surgeons or an  
 1-33 equivalent organization.

1-34 (c) A military medical treatment facility or a health care  
 1-35 provider providing services at a military medical treatment  
 1-36 facility is considered a provider under Medicaid for purposes of  
 1-37 providing and receiving reimbursement for:

1-38 (1) inpatient emergency services; and  
 1-39 (2) related outpatient services to the extent those  
 1-40 services are not available from an enrolled Medicaid provider at  
 1-41 the time the services are needed.

1-42 (d) If a Medicaid recipient experiences an injury for which  
 1-43 the recipient receives inpatient emergency services from a military  
 1-44 medical treatment facility that is a hospital, the commission may  
 1-45 not impose a 30-day spell of illness limitation or other  
 1-46 requirement that limits the period of time the recipient may  
 1-47 receive those services.

1-48 SECTION 2. If before implementing any provision of this Act  
 1-49 a state agency determines that a waiver or authorization from a  
 1-50 federal agency is necessary for implementation of that provision,  
 1-51 the agency affected by the provision shall request the waiver or  
 1-52 authorization and may delay implementing that provision until the  
 1-53 waiver or authorization is granted.

1-54 SECTION 3. This Act takes effect September 1, 2021.

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