

By: Guillen, et al.

H.B. No. 3740

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision of home telemonitoring services under
3 Medicaid.

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

5 SECTION 1. Section [531.02164\(c\)](#), Government Code, is
6 amended to read as follows:

7 (c) The program required under this section must:

8 (1) provide that home telemonitoring services are
9 available only to persons who:

10 (A) are diagnosed with one or more of the
11 following conditions:

- 12 (i) pregnancy;
- 13 (ii) diabetes;
- 14 (iii) heart disease;
- 15 (iv) cancer;
- 16 (v) chronic obstructive pulmonary disease;
- 17 (vi) hypertension;
- 18 (vii) congestive heart failure;
- 19 (viii) mental illness or serious emotional
20 disturbance;
- 21 (ix) asthma;
- 22 (x) myocardial infarction; or
- 23 (xi) stroke; and

24 (B) exhibit two or more of the following risk

1 factors:

2 (i) two or more hospitalizations in the
3 prior 12-month period;

4 (ii) frequent or recurrent emergency room
5 admissions;

6 (iii) a documented history of poor
7 adherence to ordered medication regimens;

8 (iv) a documented history of falls in the
9 prior six-month period;

10 (v) limited or absent informal support
11 systems;

12 (vi) living alone or being home alone for
13 extended periods of time; ~~and~~

14 (vii) a documented history of care access
15 challenges; and

16 (viii) a need for a weekly or monthly
17 skilled nursing assessment;

18 (2) ensure that clinical information gathered by a
19 home and community support services agency or hospital while
20 providing home telemonitoring services is shared with the patient's
21 physician; and

22 (3) ensure that the program does not duplicate disease
23 management program services provided under Section 32.057, Human
24 Resources Code.

25 SECTION 2. As soon as practicable after the effective date
26 of this Act, the executive commissioner of the Health and Human
27 Services Commission shall adopt rules necessary to implement the

1 changes in law made by this Act.

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

8 SECTION 4. This Act takes effect September 1, 2021.