

By: Raymond

H.B. No. 4194

A BILL TO BE ENTITLED

AN ACT

relating to the provision of home health care services under the Medicaid managed care program.

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

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

SUBCHAPTER C. HOME HEALTH CARE SERVICES

Sec. 533.071. HOME HEALTH CARE PROVIDER RATINGS AND STANDARDS. (a) The commission in collaboration with each managed care organization contracted under this chapter shall develop and implement a home health care provider rating system to rate providers and measure quality standards for the delivery of long-term services and supports.

(b) The commission shall require not less than 85 percent of home health care services to be processed using the electronic visit verification system.

(c) The commission shall audit home health care providers periodically using the rating system under Subsection (a) and to ensure compliance with Subsection (b).

Sec. 533.072. HOME HEALTH PATIENT TRANSFER AND SOLICITATION. (a) The commission shall require each managed care organization to implement a 15-day waiting period before a home health care attendant or employee or any recipient receiving services from the attendant or employee may transfer between home

1 health care providers.

2 (b) A recipient may not transfer between home health care
3 providers unless the recipient provides a legitimate reason for the
4 transfer and the provider from which the recipient is requesting a
5 transfer holds a poor rating as determined by the rating system
6 under Section 533.071(a).

7 (c) The commission shall evaluate policies and rules in
8 place to prevent the solicitation of home health care attendants or
9 employees or recipients receiving services from those attendants or
10 employees and shall seek to strengthen those policies and rules.

11 Sec. 533.073. PAYMENTS FOR HOME HEALTH CARE CLAIMS. The
12 commission shall require each managed care organization contracted
13 under this chapter to pay claims for home health care services not
14 later than the 10th day after the date on which the organization
15 receives the claim.

16 Sec. 533.074. HOME HEALTH CARE ATTENDANT REQUIREMENTS. (a)
17 The commission shall develop minimum training requirements for home
18 health care attendants providing services under Medicaid.

19 (b) The commission shall develop a statewide no-hire list
20 for home health care attendants and include on the list the unique
21 identifier of an attendant who fails to meet the minimum training
22 requirements under Subsection (a). The no-hire list must be
23 accessible to managed care organizations contracted under this
24 chapter and home health care providers.

25 SECTION 2. If before implementing any provision of this Act
26 a state agency determines that a waiver or authorization from a
27 federal agency is necessary for implementation of that provision,

1 the agency affected by the provision shall request the waiver or
2 authorization and may delay implementing that provision until the
3 waiver or authorization is granted.

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