

1-1 By: Miles S.B. No. 73
 1-2 (In the Senate - Filed November 9, 2020; March 3, 2021, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 March 29, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; March 29, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 73 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to providing access to local public health entities and
 1-22 certain health service regional offices under Medicaid.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 32.003, Human Resources Code, is amended
 1-25 by adding Subdivisions (2), (3), (3-a), (3-b), and (5) to read as
 1-26 follows:

1-27 (2) "Health service regional office" means an office
 1-28 located in a public health region and administered by a regional
 1-29 director under Section 121.007, Health and Safety Code.

1-30 (3) "Local health department" means a local health
 1-31 department established under Subchapter D, Chapter 121, Health and
 1-32 Safety Code.

1-33 (3-a) "Local health unit" means a local health unit
 1-34 described by Section 121.004, Health and Safety Code.

1-35 (3-b) "Local public health entity" means:

- 1-36 (A) a local health unit;
- 1-37 (B) a local health department; and
- 1-38 (C) a public health district.

1-39 (5) "Public health district" means a public health
 1-40 district established under Subchapter E, Chapter 121, Health and
 1-41 Safety Code.

1-42 SECTION 2. Section 32.024, Human Resources Code, is amended
 1-43 by adding Subsection (11) to read as follows:

1-44 (11) The executive commissioner shall establish a separate
 1-45 provider type for a local public health entity, including a health
 1-46 service regional office acting in the capacity of a local public
 1-47 health entity, for purposes of enrollment as a provider for and
 1-48 reimbursement under the medical assistance program.

1-49 SECTION 3. Section 32.101(2), Human Resources Code, is
 1-50 amended to read as follows:

1-51 (2) "Health care provider" means a person, other than
 1-52 a physician, who:

1-53 (A) is licensed or otherwise authorized to
 1-54 provide a health care service in this state, including:

1-55 (i) a pharmacist, dentist, optometrist,
 1-56 mental health counselor, social worker, advanced practice nurse,
 1-57 physician assistant, or durable medical equipment supplier; ~~or~~

1-58 (ii) a pharmacy, hospital, or other
 1-59 institution or organization; or

1-60 (iii) a local public health entity or a

2-1 health service regional office acting in the capacity of a local
2-2 public health entity in a public health region;

2-3 (B) is wholly owned or controlled by:

2-4 (i) a health care provider or a group of
2-5 health care providers described by Paragraph (A); or

2-6 (ii) one or more hospitals and physicians,
2-7 including a physician-hospital organization;

2-8 (C) is a professional association of physicians
2-9 organized under the Texas Professional Association Law, as
2-10 described by Section 1.008, Business Organizations Code;

2-11 (D) is an approved nonprofit health corporation
2-12 certified under Chapter 162, Occupations Code;

2-13 (E) is a medical and dental unit, as defined by
2-14 Section 61.003, Education Code, a medical school, as defined by
2-15 Section 61.501, Education Code, or a health science center
2-16 described by Subchapter K, Chapter 74, Education Code, that employs
2-17 or contracts with physicians to teach or provide medical services,
2-18 or employs physicians and contracts with physicians in a practice
2-19 plan; or

2-20 (F) is another person wholly owned by physicians.

2-21 SECTION 4. The Health and Human Services Commission and the
2-22 Department of State Health Services are required to implement a
2-23 provision of this Act only if the legislature appropriates money
2-24 specifically for that purpose. If the legislature does not
2-25 appropriate money specifically for that purpose, the commission and
2-26 the department may, but are not required to, implement a provision
2-27 of this Act using other appropriations that are available for that
2-28 purpose.

2-29 SECTION 5. If before implementing any provision of this Act
2-30 a state agency determines that a waiver or authorization from a
2-31 federal agency is necessary for implementation of that provision,
2-32 the agency affected by the provision shall request the waiver or
2-33 authorization and may delay implementing that provision until the
2-34 waiver or authorization is granted.

2-35 SECTION 6. This Act takes effect September 1, 2022.

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