

By: Johnson

S.B. No. 191

A BILL TO BE ENTITLED

AN ACT

relating to the use of social determinants of health in the Medicaid managed care program.

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

SECTION 1. Section 533.001, Government Code, is amended by adding Subdivision (6-a) to read as follows:

(6-a) "Social determinants of health" means the environmental conditions in which a person is born, lives, learns, works, plays, worships, and ages that affect a range of health, functional, and quality of life outcomes and risks.

SECTION 2. Section 533.003(a), Government Code, is amended to read as follows:

(a) In awarding contracts to managed care organizations, the commission shall:

(1) give preference to organizations that have significant participation in the organization's provider network from each health care provider in the region who has traditionally provided care to Medicaid and charity care patients;

(2) give extra consideration to organizations that agree to assure continuity of care for at least three months beyond the period of Medicaid eligibility for recipients;

(3) consider the need to use different managed care plans to meet the needs of different populations;

(4) consider the ability of organizations to process

1 Medicaid claims electronically; and

2 (5) give extra consideration to organizations that use
3 enriched data sets incorporating social determinants of health to
4 manage socially complex populations in a manner that achieves:

5 (A) cost savings through implementation of
6 appropriate interventions for those populations; and

7 (B) favorable health outcomes for those
8 populations by reducing preventable emergency room visits,
9 hospitalizations, and institutionalizations [~~in the initial~~
10 ~~implementation of managed care in the South Texas service region,~~
11 ~~give extra consideration to an organization that either:~~

12 [~~(A) is locally owned, managed, and operated, if~~
13 ~~one exists; or~~

14 [~~(B) is in compliance with the requirements of~~
15 ~~Section 533.004]~~.

16 SECTION 3. Subchapter A, Chapter 533, Government Code, is
17 amended by adding Section 533.022 to read as follows:

18 Sec. 533.022. ANNUAL REPORT ON USE OF SOCIAL DETERMINANTS
19 OF HEALTH. Each Medicaid managed care organization that uses
20 enriched data sets described by Section 533.003(a)(5) shall submit
21 to the commission an annual report that assesses any cost savings
22 and favorable health outcomes achieved by using those data sets.

23 SECTION 4. Section 533.003(a), Government Code, as amended
24 by this Act, applies to a contract entered into or renewed on or
25 after the effective date of this Act. A contract entered into or
26 renewed before that date is governed by the law in effect on the
27 date the contract was entered into or renewed, and that law is

1 continued in effect for that purpose.

2 SECTION 5. 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 6. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2021.