

BILL ANALYSIS

H.B. 2337
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Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Partial hospitalization and intensive outpatient programs are behavioral health services designed for patients who do not need 24-hour residential hospitalization services, but who do need more intensive services than traditional outpatient behavioral health treatments offer. In partial hospitalization services, patients can go home in the evening but still receive many of the benefits of 24-hour hospitalization stays. Intensive outpatient therapy programs offer more services than traditional outpatient therapy but are less intensive than partial hospitalization services. Both services are more cost-effective than residential hospitalizations and can either help patients transition out of a residential hospital stay or prevent a hospital stay altogether.

Currently, however, partial hospitalization and intensive outpatient treatment services are not expressly included as behavioral health services for purposes of Medicaid coverage, thereby leaving a gap in the continuum of care for behavioral health patients. With over five million Texans enrolled in Medicaid, there is an urgent need to provide additional mental health services to this population. H.B. 2337 seeks to help Medicaid beneficiaries access a wider range of services by including intensive outpatient services and partial hospitalization services among the behavioral health services covered under the state's Medicaid managed care program.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2337 amends the Government Code to specify that, for purposes of the provision of behavioral health services under the state's Medicaid managed care program, intensive outpatient services and partial hospitalization services are behavioral health services. The bill defines these terms as follows:

- "intensive outpatient services" means outpatient treatment services, including treatment services for substance use disorders, depression, eating disorders, and other mental health conditions that do not require detoxification or 24-hour supervision, provided to patients who require a time-limited, multifaceted array of services, structures, and supports by a team of clinical staff capable of providing, at a minimum, the following services:
 - individual counseling;
 - group counseling;
 - family counseling;

- motivational enhancement training; and
 - relapse prevention, drug refusal, and coping skills training; and
- "partial hospitalization services" means distinct and organized intensive ambulatory treatment services provided for periods of not more than 24 hours at a location other than a patient's home or in an inpatient or a residential care setting, including the specific services listed by applicable federal regulation governing coverage of such services.

The bill provides for the delayed implementation of any provision for which an applicable state agency determines a federal waiver or authorization is necessary for implementation until the waiver or authorization is requested and granted.

EFFECTIVE DATE

September 1, 2023.