

BILL ANALYSIS

C.S.H.B. 3456
By: Ashby
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There is a need to extend the operation of certain health care provider participation programs. C.S.H.B. 3456 seeks to address this need by postponing the dates on which the authority of certain entities to administer and operate such a program expire.

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

C.S.H.B. 3456 amends the Health and Safety Code to postpone from December 31, 2023, to December 31, 2027, the date on which the authority to administer and operate a health care provider participation program expires for a county that has the following characteristics:

- the county contains a hospital district that is not countywide;
- the county has a population of more than 125,000; and
- the county borders Oklahoma.

C.S.H.B. 3456 postpones from December 31, 2025, to December 31, 2027, the date on which the authority of the Dallas County Hospital District to administer and operate a health care provider participation program, and the date on which related provisions, expire.

C.S.H.B. 3456 postpones from December 31, 2025, to December 31, 2027, the date on which the authority of the Tarrant County Hospital District to administer and operate a health care provider participation program expires.

C.S.H.B. 3456 postpones from December 31, 2023, to December 31, 2027, the date on which the authority of the following districts to administer and operate a health care provider participation program, and the date on which related provisions, expire:

- a hospital district created in a county with a population of more than 800,000 that was not included in the boundaries of a hospital district before September 1, 2003;
- Bexar County Hospital District; and
- El Paso County Hospital District.

C.S.H.B. 3456 postpones from December 31, 2023, to December 31, 2025, the date on which the authority of the Harris County Hospital District to administer and operate a health care provider participation program, and the date on which related provisions, expire.

C.S.H.B. 3456 revises the eligible local governments that may participate in a health care provider participation program under certain statutory provisions by, as follows:

- replacing a hospital district that is not participating in a program authorized by other statutory provisions with a hospital district that is not authorized to create a program under other statutory provisions; and
- replacing a county or municipality that is not participating in a program authorized by other statutory provisions and that is not served by a hospital district or a public hospital with a county or municipality that is not authorized to create a program under other statutory provisions.

The bill repeals the provision that sets the authority of such a local government to administer and operate a program to expire on September 1 following the second anniversary of the date the local government's governing body adopted the order or ordinance authorizing the local government to participate in the program.

C.S.H.B. 3456 repeals Section 300.0155, Health and Safety Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3456 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute repeals the provision that sets the authority of certain local governments to administer and operate a health care provider participation program to expire on September 1 following the second anniversary of the date the local government's governing body adopted the order or ordinance authorizing the local government to participate in the program, whereas the introduced did not repeal this provision.

The substitute omits provisions included in the introduced that provided permissive powers to a qualifying local government that is a county, municipality, or hospital district that is participating in an applicable health care provider participation program; a health care funding district in certain counties located on the Texas-Mexico border; or an applicable health care provider participation district. Those provisions provided such local governments with certain authority to do the following:

- require mandatory payments to be assessed against each institutional health care provider located in the qualifying local government on the basis of either of the following:
 - the assessment basis required by the laws applicable to the health care provider participation program administered by the qualifying local government; or
 - any other basis permitted by specified federal law;
- require an institutional health care provider to submit additional information as necessary to ensure mandatory payments are assessed in a manner consistent with certain federal requirements;
- request that the Health and Human Services Commission submit a request to the federal Centers for Medicare and Medicaid Services for relief under specified federal regulations for purposes of assuring the qualifying local government's health care provider participation program is administered efficiently, transparently, and in a manner that complies with federal law; and
- impose and collect interest and penalties on delinquent mandatory payments.