88R12033 JG-D

By:  Raymond H.B. No. 5265

A BILL TO BE ENTITLED

AN ACT

relating to Medicaid coverage and reimbursement for certain inpatient mental health services.

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

SECTION 1.  Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02465 to read as follows:

Sec. 32.02465.  REIMBURSEMENT FOR CERTAIN INPATIENT MENTAL HEALTH SERVICES. (a) In this section, "inpatient mental health institution" means a hospital, nursing facility, or other institution with 16 or more beds that primarily provides health care services, including medical attention, nursing care, and related services, to individuals with a mental illness.

(b)  The commission shall ensure that medical assistance reimbursement is provided to an inpatient mental health institution that provides health care services to a recipient under the medical assistance program.

(c)  The executive commissioner by rule shall ensure that medical assistance reimbursement provided under this section includes reimbursement for:

(1)  health care services provided to a recipient under the medical assistance program regardless of the recipient's age; and

(2)  the entirety of a recipient's stay at an inpatient mental health institution during which the institution provided those services.

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

SECTION 3.  This Act takes effect September 1, 2023.