

By: Hall

S.B. No. 303

A BILL TO BE ENTITLED

AN ACT

1
2 relating to discrimination by a provider participating in Medicaid
3 or the child health plan program against an individual based on
4 immunization status.

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

6 SECTION 1. Subchapter B, Chapter 531, Government Code, is
7 amended by adding Section 531.02119 to read as follows:

8 Sec. 531.02119. DISCRIMINATION BASED ON IMMUNIZATION
9 STATUS PROHIBITED. (a) A provider who participates in Medicaid or
10 the child health plan program, including a provider participating
11 in the provider network of a managed care organization that
12 contracts with the commission to provide services under Medicaid or
13 the child health plan program, may not refuse to provide health care
14 services to an individual, including a Medicaid recipient or child
15 health plan program enrollee, based on the individual's refusal or
16 failure to obtain a vaccine or immunization for a particular
17 infectious or communicable disease.

18 (b) The commission:

19 (1) may not provide Medicaid or child health plan
20 program reimbursement to a provider who violates this section; and

21 (2) shall disenroll the provider from participation as
22 a Medicaid or child health plan program provider.

23 (c) The executive commissioner may adopt rules as necessary
24 to implement this section.

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

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