

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Human Services  
For HB 4823

Compiled on: Tuesday, May 2, 2023 8:48 AM

Note: Comments received by the committee reflect only the view of the individual(s) submitting the comment, who retain sole responsibility for the content of the comment. Neither the committee nor the Texas House of Representatives takes a position on the views expressed in any comment. The committee compiles the comments received for informational purposes only and does not exercise any editorial control over comments.

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Hearing Date: May 2, 2023 8:00 AM

Pari Schroeder

Self

Conroe, TX

I support HB4873. Medically complex children depend on support of HB4873. Texas should be committed to serving this population.

Aimee Martinez, Ms.

Self; homemaker

Floresville, TX

As a mother of two special needs children, it is already so difficult to try and find care and coordinate care. Parents like myself are struggling to find nursing care for their medically fragile children. The rate of pay for nurses needs to increase so these fragile kids can stay in the comfort of their own home and have a skilled nurse with their care. It will definitely save money and keep them out of the hospital. It is sad that while admitted in the hospital that all I do is try to sleep because i dont have adequate nursing care for my child.

Kathryn Blake

Self

Plano, TX

I support HB 4823. Please vote yes and quickly move this bill out of committee.

Devon Hammel, Mrs

Self

Spring, TX

"I support HB4823. Please vote yes and quickly move this bill out of committee. I have a now adult special needs daughter and we have had numerous challenges over the year, especially in the regards to continuity of care and appeals for services that my child needs that were denied.

Anthony Burokas  
representing a special needs child  
Frisco, TX

The current Texas health system is horrible to those who need it - with organizations and departments seemingly dropping care at will - despite genetic conditions that cannot change because they are GENETIC. They are not curable. They will not go away. Yet children who have waited for years, even over a decade to get covered, can be dropped years later, even though their qualifications to be approved have not changed. How can this be? If their condition was appropriate to be approved once, and it is genetic and cannot go away, it should be approved forever.

HB4823 for standardization of the process needs to be released to vote immediately.

Holly Cheesborough  
My medically fragile child  
Lucas, TX

I am in support of bill 4823. Please vote yes to move it out of committee.

Edmund Cheesborough  
Self  
Lucas, TX

I support bill 4823. Vote yes to move this bill out of committee

Cindy Fleharty  
Self/caregiver to medically fragile son  
Leander, TX

Please vote yes to move this out of committee.

Kelley Mindrup  
Self  
Coppell, TX

I support HB 4823. Please vote in favor of reporting 4823 out of committee for House vote. Thank you.

Batool Hassan  
Self, Global Logistics Manager  
Sugar Land, TX

As a mom of a medically fragile child, I support HB4823. Please vote yes and move it out of committee.

Ebony Brown  
Self  
Celina, TX

"I support HB4823. I am a special needs parent and this bill is important. Please vote yes and move it out of committee."

Mark Galinsky  
PTFK  
Arlington, TX

I support, HB 4823 Please pass this bill out of committee. Thank you.

Rachel Brothers  
Family  
Cedar Park, TX

I support HB 4823. Please move it out of committee and HELP those of us Texans with medically fragile family members who are struggling with so much right now.

Elanderia Rowe  
Self social worker  
Celina, TX

Family

Ashton Wilburn  
Self  
Dallas, TX

I support bill HB4823. Please vote yes and move it out of committee.

Melina Pena  
Swlf  
Arlington, TX

I support HB4823. please vote yes and move it out of committee.

Sherry Boehning  
Self  
Celina, TX

I support HB4823. Please vote yes and move it out of committee.

Erin Nowak  
Self  
Fulshear, TX

I am in support of HB 4823!!! Protect our most fragile!! Please vote this bill out of committee!!

Laura Rose  
Self  
Keller, TX

I am In support of HB4823. Please vote this bill out of committee. My niece, Christina Gregory, will be greatly affected.

Elizabeth Zantop  
Self  
Dallas, TX

I am for this!

Bethany Gregory  
Christina Gregory  
Southlake, TX

I am in support of HB 4823

Jessica Bannecker  
Self/ Pharmacy Technician  
Celina, TX

I am in support of Bill HB 4823. Please vote this out of committee

Leslie Solheid  
Self  
Spring, TX

I am in support of HB4823. Please vote this bill out of committee.

Amanda Blankenship  
Self  
Burleson, TX

I am in support of HB 4823. Please vote this bill out of committee.

Isaac Gregory  
Self  
Southlake, TX

I am in support of this bill. Please bring it out of committee for a vote on the floor.

Natalie Merkord  
Speech Therapist - self  
Southlake, TX

Please vote this bill out of committee.

Kim Gregory  
Self  
Southlake, TX

I am in support of HB4823. Please vote this bill out of committee for my niece Christina Gregory.

Erin Arnold, Mrs.  
Self, Texas Realtor  
Argyle, TX

I am in support of HB4823. Please vote this bill out of committee!

Gina Arefi  
Self  
The Colony, TX

Please move this bill out of committee.

Brooke LaBouve  
Self  
Marshall, TX

I support this bill.

Kristi Condit  
Self  
Fairview, TX

I am in support of HB4823 please vote this bill out of committee

Allison Blocker  
Self, physical therapist  
Fort worth, TX

I am in support of this bill!! Please vote out of committee. We are all responsible for caring for medically fragile children. Thank you!

Todd Lange  
Self  
Southlake, TX

I support HB4823. I would like to request committee approval and that the bill be moved to the House for a vote.

Russell Socha  
Self - electrical contractor  
San Angelo, TX

I am in support of HB4823 and wish the bill to be voted out of committee. Thank you.

Karen Franz, Retired  
Self/Retired  
Plano, TX

I am in support of HB 4823. Please vote this bill out of committee

Erin Evans  
Self  
Katy, TX

I am in support of HB4823. Please vote this bill out of committee

Elizabeth KYLE  
Self  
Southlake, TX

I support HB4823

Chris Johnson, Mr  
Christina gregory  
Plano, TX

I am in support of HB 4823

William Franz  
Self Optician/owner  
Plano, TX

I am in support of HB4823  
Please vote this bill out of committee

Bridget Dunham  
Self-HB4823  
Southlake, TX

I support HB4823. I would like to request committee approval and that the bill be moved to the House for a vote. Thank you!

William McGough  
Self  
Southlake, TX

I support HB4823. Please send to House for a vote.

Obi Nef  
Self/ stay at home mother  
Southlake, TX

I support HB4823. I would like to request committee approval and that the bill be moved to the House for a vote..

Amber Marin  
Jessica Marin's mom a mdcp child  
Sugar land, TX

I support HB4823 please vote yes and move it out of committee. Thank you in advance for #protectingtxfragilekids like our daughter!

Sara Parr  
Self  
Austin, TX

I support HB 4832! Please vote this bill out of committee. Medically fragile children in Texas are depending on you.

Miravil Gimeno  
Self  
Eules, TX

I support this bill

Ronald Marin  
Jessica Marin's dad  
Sugar land, TX

I support HB4823 please vote yes and move it out of committee. Thank you in advance for protecting our daughter!

Concetta Rittgers  
A MDCP grandma  
Richmond, TX

I support HB4823 please vote yes and move it out of committee! Thank you for making my granddaughter and her access to Medicaid through mdcp a priority.

Dan Rittgers  
Grandfather of a kid in #protecttxfragile kids  
Houston, TX

I support HB4823 please vote yes and move it out of committee. #protect tx fragile kids

Gable Roby  
Self, consultant  
Dallas, TX

I am in support of the bill HB4823. These medically fragile children deserve our support. Please vote this bill out of committee.

Jessica Gaudin  
Gregory Family  
Southlake, TX

I am in support of bill HB4823.

Shawn Williams, Parent  
PTFK  
Lubbock, TX

Please pass this bill through committee to the house for a vote! My medically fragile child's health & well being depends on it!  
Thanks for your support!

Shannon Murphy  
SELF  
Grapevine, TX

For the most fragile of kids

Kristyna Jennings  
Self  
Celina, TX

"I support HB4823.

Yulia Beckley  
Self  
Celina, TX

I support HB4823.

Jennifer Vinson  
Self/teacher  
New Braunfels, TX

I am in support of HB4823. Please vote this bill out of committee. I know families with medically fragile children will greatly benefit from this.

Brittany Edwards  
Self  
Fort Worth, TX

For

Jaye Lange  
Self  
Southlake, TX

I support HB4823. I would like to request committee approval and that the bill be moved to the House for a vote.

BrittanyBrittany Edwards

Self

Fort Worth, TX

I am in support of HB 4823

Joseph Henderson

Self

Southlake, TX

I am in support of HB4823. Please vote this bill out of committee.

Jourdan Huett

Self

Frisco, TX

I am in support of HB4823. Please vote this bill out of committee

Debra Bounds

Self

Lake Brideport, TX

Please vote this bill out of committee Thank you!

Nicole Stickane

Self

Southlake, TX

I am in support for HB4823. Please vote this bill out to the committee.

Amye Taylor

Self

Hewitt, TX

I support HB 4823 please vote yes & quickly move this bill of committee. I am single mom trying to work full time job and make sure my Jessica is taken care. She is home with 24 hour nursing care.. struggles I dealt with keeping nurses. Nurses don't stay bc they never get raises. Attendant care or Respite. \$8 to \$10 a hr. Not been able to find anyone. The home therapy I have now just started back up last month they do not take Medicaid. Physical, Occup & Speech. My insurance thru my job is what is paying for therapies Was told to make "budget "needs Medicaid my 24 hr nursing was gonna be cut. But Jessica care has been same for last three yrs. She has trach, which she can aspirate..i have to travel to Dallas or Houston for Jessica Specialist.

Kayce Anderson

Myself

Flower Mound, TX

I support HB 4823. Please approve and move to a house vote.

Abby Clement

Self/marketing manager

Pflugerville, TX

I am in support of bill HB4823. Please vote this bill out of committee.

Kristi Kennedy  
Self  
Paradise, TX

I support this bill and want it passed as soon as possible to help children in need.

Joseph Gregory, Mr.  
Myself  
Southlake, TX

I am in support of HB4823. Please vote this bill out of committee. This is a pro life and pro family bill, that I am strongly in support of as an evangelical Christian.

M S  
Self  
Southlake, TX

I support HB4823. I would like to request committee approval and that the bill be moved to the House for a vote.

Stephen Arnold  
Self  
Argyle, TX

I support HB4823. I would like to request that the committee approve that the bill be moved to the house for a vote. Thank you!

sara Emery  
Natalie Franz  
Marshall, TX

I am in support of HB4823!!!

Kacy Reyna  
Self/RN  
Mc Gregor, TX

I am in support of HB4823. Please vote this bill out of committee.

Justine Klinke  
Self  
Houston, TX

I am in support of HB 4823. Please vote this bill out of committee.

Chelsea Salomone  
Self  
Grapevine, TX

I am in support of HB 4823

Jenna Arnold  
Self  
Southlake, TX

I am in support of HB 4823. Please vote this bill out of committee.

Kenneth Arnold

Self

Southlake, TX

I am in support of HB 4823. Please vote this bill out of committee

Jill Frost

Self

Friendswood, TX

I am in support of HB4823. Please vote this bill out of committee.

Jennifer Greever

Self

Southlake, TX

I am in Support of HB4823. Please vote this bill out of committee.

Bria Riehl

Self / stay at home mom

Southlake, TX

I am in support of HB4823. Please vote this bill out of committee.

Junied Waheed

Self

Southlake, TX

I support this bill and request it to be move forward for approval

Lauren Trampe

Self

Dallas, TX

I support HB 4823. Please vote this bill out of committee.

Chasaty nelson

Self

Watauga, TX

I support HB 4823

Cait Steormann

Self - Senior Manager

Southlake, TX

I am in support of HB4823

Jessica Lynch  
Texas Association of Health Plans  
Austin, TX

The Texas Association of Health Plans (TAHP) opposes HB 4823 because it expands the use of out-of-network care in the Texas Medicaid program, which could create an incentive for providers to remain out of network. This would result in increased costs for the Medicaid program and reduced ability of a managed care organization (MCO) to ensure quality of care, coordinate care, and negotiate value-based contracts.

Medicaid managed care typically only covers care from "in-network" providers who have agreed to reduce costs or improve health care outcomes through value-based contracts. This approach helps maintain lower costs for the Medicaid program and enables MCOs to incentivize providers to improve outcomes, such as reducing ER visits.

In recent legislative sessions, the Texas Legislature has passed extensive patient protections for medically complex children in STAR Kids through SB 1207 (86R) and SB 1648 (87R). These patient protections included exceptions from the typical in-network requirement of Medicaid managed care by allowing children with complex medical needs to continue receiving care from their existing specialty physicians, even if these doctors are not part of the MCO's network.

HB 4348 significantly broadens this current exception for out-of-network care in three ways that could have a negative impact on Medicaid managed care and ultimately lead to increased costs for taxpayers:

**Expanding the Definition of Complex Medical Needs:** The bill broadens the categories of Medicaid recipients eligible for out-of-network coverage by expanding the populations included in the definition of complex medical needs, potentially increasing the use of costlier out-of-network care.

**Expanding the Definition of Specialty Provider:** HB 4823 expands the definition of specialty providers to include durable medical equipment (DME) suppliers, significantly expanding the scope of out-of-network coverage exceptions far beyond just specialty physicians. There is no access to care issue for DME within Texas Medicaid that would necessitate the need to enhance out-of-network care access. Although DME suppliers play a crucial role, they should not be equated with specialty physicians, and there is no justification for creating out-of-network exceptions for DME. This expansion of the specialty provider definition to include DME is anticipated to significantly increase costs in the Medicaid program.

**Continuity of Care Changes:** The bill eliminates the requirement for an existing relationship, permitting these families to choose any specialty provider for their care. This creates an incentive for providers to remain out-of-network, increasing Medicaid costs and complicating the ability of MCOs to ensure quality and coordinate patient care effectively.

Patricia Heldoorn  
Medically Fragile Kids  
Southlake, TX

I am in support of HB4823. Please vote this bill out of committee

Ronda Cates  
Myself  
Milford, TX

Please support HB 4823 please vote yes & quickly move this bill of committee.

Melanie Butcher  
Home Health patients and Home Health nurses  
Waco, TX

Please support HB 4823 please vote yes & quickly move this bill

Maria Vedia  
Self  
Fort Worth, TX

Please support HB 4823 please vote yes & quickly move this bill of committee.

Jana Jennings  
Delta dental  
Bryan, TX

Voting yes. I have worked with special needs children for 10 years now. The lack of care they receive due to medicaid is every sad. They get denied almost everything. Please pass this bill and help these people.

Terri Corley  
Self, Data Integrity Specialist  
West, TX

Yes

Penny LESTER  
Self  
MCGREGOR, TX

Please push forward with this bill.

Kelsey Koger  
Self/RN  
Fort Worth, TX

I support HB 4823. Please vote this bill out of committee. I'm a pediatric home health nurse in Texas. The majority of my patients are covered by Medicaid, and the lack of options affects each of my patients and their families. Improving the provision and delivery of benefits to this precious and medically fragile population will tangibly improve the lives of so many struggling families. Please do it.

Eric Johnson  
Self, actor  
Richardson, TX

I am in support of Bill HB4823. Please vote this bill out of committee.

Rhonda Hight  
Myself  
Trophy Clu, TX

I support house bill 4823 and ask that it please go to the House for vote.

Kay Ghahremani, CEO

Texas Association of Community Health Plans

Austin, TX

The Texas Association of Community Health Plans respectfully opposes HB 4823. This bill would expand the definition of “specialty provider” that is used in the health care industry to mean physician specialists, such as pediatricians, cardiologists, urologists, etc. HB 4823 would change in statute this widely understood term to include durable medical equipment providers, therapy providers and pharmacies.

Medicaid STAR Kids health plans are required to cover providers of specialty care in instances in which a STAR Kids recipient has a relationship with the provider, regardless of whether the provider is in the health plan’s network.

Although it is less than ideal for a provider to be out-of-network, the STAR Kids community MCOs support this requirement. It provides continuity of care for that member with complex medical needs. We certainly want them to have access to the specialists they need.

Texas does not have enough physician specialists. Conversely, our state has hundreds, if not thousands, of DME providers. Opening up the definition of specialty provider to DME would incentivize these providers to stay out-of-network.

HHSC requires the Medicaid health plans to make 50% of their payments to providers through alternative payment models that promote quality care, known as value-based care. The agency wants the health plans to pursue innovative contracting. The health plans are working with in-network DME providers on numerous initiatives to improve the quality of care provided to their Medicaid members. That’s impossible to do that with out-of-network providers.

This bill would also require STAR Kids MCOs to continue reimbursing providers, even when they are no longer in the MCO’s network. The STAR Kids program is now over 6 years old. The program is stable. The MCOs have robust, broad networks of providers that have met the MCO’s credentialing requirements, giving assurance that the MCO’s network providers are in good standing with the licensing boards, HHSC and CMS. Out-of-network providers avoid scrutiny by staying out of network.

For these reasons, the Texas Association of Community Health Plans would encourage Committee members to vote NO on HB 4823. Thank you for your consideration.

Susan Burek

Self: I'm a parent and a volunteer advocate for people with disabilities

Austin, TX

PLEASE VOTE FOR HB 4823, regarding the provision and delivery of benefits to certain Medicaid recipients.

Section 1 of this bill would amend Section 531.024164(e), Government Code, to establish a common procedure for conducting external medical reviews, where the procedure must meet the following criteria:

- 1) Must conform to the utilization review and independent review process under Title 14, Insurance Code;
- 2) Must include the following requirements:
  - A. a requirement that the person who requests the external review will deliver documents to the external reviewer regarding the recipient's relevant personal and medical information, including the recipient's written statement;
  - B. in the instance where the review relates to a life-threatening condition, a requirement that reviewer should directly contact the recipient or the recipient's parent or legally authorized representative AND the recipient's health care provider;
  - C. a requirement that the reviewer must notify the recipient or recipient's parent or legally authorized representative, the recipient's health care provider, and the commission if the reviewer does not receive the information described by Paragraph (A) within three business days after the date the reviewer is assigned to conduct the review; and
  - D. a requirement that the reviewer should request and maintain any other relevant information not provided under Paragraph (A) that is necessary to conduct the review.

Section 2 of this bill would amend Section 533.038, Government Code, to provide clear definitions for these 3 terms:

- Complex Medical Needs
- Medicaid Wrap-Around Benefit
- Specialty Provider

Section 2 also requires HHSC to develop a clear and easy process to allow a Medicaid recipient with complex medical needs who has established a relationship at any time with a specialty provider to continue receiving care from that provider, regardless of:

- Whether the recipient has primary health benefit plan coverage in addition to Medicaid coverage;
- The date the recipient enrolled in the managed care plan provided by the Medicaid MCO; or
- Whether the provider is an in-network provider.

This bill would also allow MCO recipients with complex medical needs but who don't have primary health benefit plan coverage to continue to receive care from a specialty provider that is not in the MCO's provider network and require the MCO to develop a simple, timely, and efficient process to and shall make a good-faith effort to negotiate a single-case agreement with the specialty provider, where the specialty provider shall be reimbursed in accordance with the applicable reimbursement methodology specified in HHSC rule, including 1 T.A.C. Section 353.4.

It would also allow require MCOs to provide Continuity of Care to MCO recipients with complex medical needs if the MCO's contract with a specialty provider is cancelled, except if the cancellation is the result of fraud, waste, or abuse.

Victoria Goodwin

Self

West, TX

I vote yes and support this bill

Dana Dotter

Self

North Richland Hills, TX

Please support this bill for medically fragile kids