

SENATE AMENDMENTS

2nd Printing

By: Manuel

H.B. No. 3265

A BILL TO BE ENTITLED

AN ACT

relating to the submission of certain reports by the Health and Human Services Commission.

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

SECTION 1. Section 531.06021(b), Government Code, is amended to read as follows:

(b) The ~~[Not later than the 30th day after the last day of each state fiscal quarter, the]~~ commission shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, the Legislative Budget Board, and each standing legislative committee with primary jurisdiction over Medicaid a semiannual report containing, for the preceding six-month period ~~[most recent state fiscal quarter]~~, the following information and data related to access to care for Medicaid recipients receiving benefits under the medically dependent children (MDCP) waiver program:

(1) enrollment in the Medicaid buy-in for children program implemented under Section 531.02444;

(2) ~~[requests relating to interest list placements under Section 531.0601,~~

~~[-3-]]~~ use of the Medicaid escalation help line established under Section 533.00253~~[, if the help line was operational during the applicable state fiscal quarter]~~;

(3) ~~[-4-]~~ use of, requests for, and outcomes of the

external medical review procedure established under Section 531.024164; and

(4) ~~(5)~~ complaints relating to the medically dependent children (MDCP) waiver program, categorized by disposition.

SECTION 2. Section 536.003(g), Government Code, is amended to read as follows:

(g) The commission shall include aggregate, nonidentifying data collected using the quality-based outcome measure described by Subsection (f) in the biennial ~~annual~~ report required by Section 536.008 and may include the data in any other report required by this chapter. The commission shall determine the appropriateness of including the quality-based outcome measure described by Subsection (f) in the quality-based payments and payment systems developed under Sections 536.004 and 536.051.

SECTION 3. The heading to Section 536.008, Government Code, is amended to read as follows:

Sec. 536.008. BIENNIAL ~~ANNUAL~~ REPORT.

SECTION 4. Section 536.008(a), Government Code, is amended to read as follows:

(a) The commission shall submit to the legislature and make available to the public a biennial ~~an annual~~ report regarding:

(1) the quality-based outcome and process measures developed under Section 536.003, including measures based on each potentially preventable event; and

(2) the progress of the implementation of quality-based payment systems and other payment initiatives

implemented under this chapter.

SECTION 5. Sections 32.155(d) and (e), Health and Safety Code, are amended to read as follows:

(d) The commission shall prepare and submit to the legislature and make available to the public a biennial ~~[an annual]~~ report that summarizes:

(1) the commission's progress in developing or enhancing initiatives under this section; and

(2) each managed care organization's progress in incorporating the required initiatives in the organization's managed care plans.

(e) The commission shall ~~[may]~~ submit the report required under Subsection (d) with the report required under Section 536.008, Government Code.

SECTION 6. Section 255.005, Health and Safety Code, is amended to read as follows:

Sec. 255.005. BIENNIAL REPORT. (a) The Health and Human Services Commission ~~[department]~~ shall assess and evaluate the effectiveness of the quality assurance early warning system and shall report its findings biennially ~~[annually]~~ to the governor, the lieutenant governor, and the speaker of the house of representatives.

(b) The Health and Human Services Commission shall submit the report required under this section with the report required under Section 536.008, Government Code.

SECTION 7. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a

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1 federal agency is necessary for implementation of that provision,
2 the agency affected by the provision shall request the waiver or
3 authorization and may delay implementing that provision until the
4 waiver or authorization is granted.

5 SECTION 8. This Act takes effect September 1, 2023.

ADOPTED

MAY 23 2023

FLOOR AMENDMENT NO. 1

Latey Law
Secretary of the Senate

BY:

Carl Allen

Amend H.B. No. 3265 (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 531.06021(b), Government Code, strike Subdivisions (2) through (4) (page 1, lines 36 through 46) and substitute the following:

(2) requests relating to interest list placements under Section 531.0601;

(3) use of the Medicaid escalation help line established under Section 533.00253, if the help line was operational during the applicable six-month period [~~state fiscal quarter~~];

(4) use of, requests for, and outcomes of the external medical review procedure established under Section 531.024164; and

(5) complaints relating to the medically dependent children (MDCP) waiver program, categorized by disposition.

(2) Strike SECTIONS 2, 3, and 4 of the bill, amending Section 536.003(g), the heading to Section 536.008, and Section 536.008(a), Government Code (page 1, line 47, through page 2, line 8), and renumber the SECTIONS of the bill accordingly.

(3) In the recital to SECTION 5 of the bill (page 2, lines 9 and 10), strike "Sections 32.155(d) and (e), Health and Safety Code, are" and substitute "Section 32.155(e), Health and Safety Code, is".

(4) In SECTION 5 of the bill, strike amended Section 32.155(d), Health and Safety Code (page 2, lines 11 through 18).

(5) In SECTION 6 of the bill, in amended Section 255.005, Health and Safety Code (page 2), strike lines 24 through 29 and

substitute the following:

Sec. 255.005. REPORT. (a) The Health and Human Services Commission [~~department~~] shall assess and evaluate the effectiveness of the quality assurance early warning system and shall report its findings annually to the governor, the lieutenant governor, and the speaker of the house of representatives.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 24, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3265 by Manuel (Relating to the submission of certain reports by the Health and Human Services Commission.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JMc, NPe, ER, CST

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 14, 2023

TO: Honorable Lois W. Kolhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3265 by Manuel (Relating to the submission of certain reports by the Health and Human Services Commission.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JMc, NPe, ER, CST

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 7, 2023

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3265 by Manuel (Relating to the submission of certain reports by the Health and Human Services Commission.), **As Introduced**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: JMc, NPe, ER, CST