

By: Curry

H.B. No. 5098

Substitute the following for H.B. No. 5098:

By: VanDeaver

C.S.H.B. No. 5098

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an interoperable care coordination
solution loan program for certain health care facilities.

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

SECTION 1. Subtitle I, Title 2, Health and Safety Code, is
amended by adding Chapter 183 to read as follows:

CHAPTER 183. INTEROPERABLE CARE COORDINATION SOLUTION LOAN PROGRAM
FOR CERTAIN HEALTH CARE FACILITIES

Sec. 183.001. DEFINITIONS. In this chapter:

(1) "Health care facility" means a facility licensed
to provide health care services. The term includes a nursing
facility licensed under Chapter 242, a continuing care facility
regulated under Chapter 246, an assisted living facility licensed
under Chapter 247, and a mental hospital or other mental health
facility licensed under Chapter 577. The term does not include:

(A) an abortion provider, as defined by Section
171.002;

(B) a diagnostic, laboratory, or imaging center;

(C) a hospital licensed under Chapter 241;

(D) a boarding home facility, as defined by
Section 260.001, that holds a permit issued under Chapter 260; or

(E) a center for independent living, as defined
by Section 702 of the federal Rehabilitation Act of 1973 (29 U.S.C.
Section 796a).

1 (2) "Loan program" means the loan program established
2 under this chapter.

3 Sec. 183.002. LOAN PROGRAM. (a) The executive
4 commissioner by rule shall establish a loan program to provide
5 loans to health care facilities to purchase, implement, and sustain
6 interoperable care coordination solutions, including electronic
7 health record systems, to ensure streamlined communication between
8 health care facilities regarding patient health records.

9 (b) The executive commissioner by rule shall establish:

10 (1) eligibility criteria for health care facilities to
11 receive a loan under this chapter;

12 (2) loan application procedures;

13 (3) guidelines relating to loan amounts, terms, and
14 repayment schedules;

15 (4) procedures for evaluating loan applications; and

16 (5) procedures for monitoring the use of a loan
17 awarded under the loan program and ensuring compliance with any
18 conditions of the loan.

19 (c) The rules adopted under Subsection (b) must include a
20 preference for granting loans to health care facilities that:

21 (1) provide services in medically underserved or rural
22 areas; or

23 (2) provide services to Medicaid recipients.

24 (d) The commission may accept gifts, grants, and donations
25 from public and private entities to use for the purposes of this
26 chapter.

27 (e) The commission shall make a loan under this chapter

1 using money appropriated to the commission for that purpose or
2 gifts, grants, and donations received under Subsection (d).

3 Sec. 183.003. ADMINISTRATION OF LOAN PROGRAM. A loan made
4 by the commission under the loan program:

5 (1) must bear an interest rate not to exceed one
6 percent and be made for a term not to exceed 10 years; and

7 (2) may be awarded in an amount necessary to assist a
8 health care facility purchase, implement, and sustain
9 interoperable care coordination solutions, including an electronic
10 health record system, not to exceed:

11 (A) 80 percent of the cost of purchasing,
12 implementing, and sustaining interoperable care coordination
13 solutions for a health care facility described by Section
14 183.002(c); or

15 (B) 50 percent of the cost of purchasing,
16 implementing, and sustaining interoperable care coordination
17 solutions for a health care facility not described by Section
18 183.002(c).

19 Sec. 183.004. RULEMAKING. The executive commissioner shall
20 adopt rules necessary to administer this chapter.

21 SECTION 2. As soon as practicable after the effective date
22 of this Act, the executive commissioner of the Health and Human
23 Services Commission shall adopt rules necessary to implement
24 Chapter 183, Health and Safety Code, as added by this Act.

25 SECTION 3. This Act takes effect September 1, 2025.