

By: Curry

H.B. No. 5098

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an electronic health record 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. ELECTRONIC HEALTH RECORD 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 an abortion provider or a diagnostic, laboratory, or imaging center.

(2) "Loan program" and "program" mean the loan program established under this chapter.

Sec. 183.002. LOAN PROGRAM. (a) The executive commissioner by rule shall, in coordination with the comptroller, establish a loan program to provide loans to health care facilities to purchase and implement electronic health record systems to ensure streamlined communication between health care facilities regarding patient health records.

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

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

4                (2) loan application procedures;

5                (3) guidelines relating to loan amounts, terms, and  
6 repayment schedules;

7                (4) procedures for evaluating loan applications; and

8                (5) procedures for monitoring the use of a loan  
9 awarded under the loan program and ensuring compliance with any  
10 conditions of the loan.

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

13                (1) provide services in medically underserved or rural  
14 areas; or

15                (2) provide services to Medicaid recipients.

16        (d) The commission may solicit and accept gifts, grants, and  
17 donations from public and private entities to use for the purposes  
18 of this chapter.

19        (e) The commission may make a loan under this chapter using  
20 money appropriated to the commission for that purpose or gifts,  
21 grants, and donations received under Subsection (d).

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

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

26                (2) may be awarded in an amount necessary to assist a  
27 health care facility purchase and implement an electronic health

1 record system, not to exceed:

2                   (A) 80 percent of the cost of purchasing and  
3 implementing an electronic health record system for a health care  
4 facility described by Section 183.002(c); or

5                   (B) 50 percent of the cost of purchasing and  
6 implementing an electronic health record system for a health care  
7 facility not described by Section 183.002(c).

8           Sec. 183.004. RULEMAKING. The executive commissioner shall  
9 adopt rules necessary to administer this chapter.

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

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