

By: Blanco

S.B. No. 1753

A BILL TO BE ENTITLED

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

7 SECTION 1. Section 540.0272, Government Code, as effective
8 April 1, 2025, is amended to read as follows:

9 Sec. 540.0272. CERTAIN SERVICES PERMITTED IN LIEU OF STATE

10 MEDICAID PLAN SERVICES [OTHER MENTAL HEALTH OR SUBSTANCE USE

11 DISORDER SERVICES]; ANNUAL REPORT. A contract to which this

12 subchapter applies must contain language permitting the

13 contracting Medicaid managed care organization to offer recipients

14 enrolled in the organization's managed care plan medically

15 appropriate, cost-effective, evidence-based mental health or

16 substance use services or food and nutrition assistance services

17 from a list of services approved by the state Medicaid managed care

18 advisory committee and included in the contract as services the

19 organization may provide recipients in lieu of [mental health or

20 substance use disorder] services specified in the state Medicaid

21 plan. A recipient is not required to use a service from the list

22 included in the contract in lieu of a [another mental health or

23 substance use disorder] service specified in the state Medicaid

24 plan. The commission shall:

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4 (2) consider the actual cost and use of any services
5 from the list included in the contract that are offered by a
6 Medicaid managed care organization when setting the capitation
7 rates for that organization under the contract.

8 SECTION 2. The changes in law made by this Act apply to a
9 contract entered into or renewed on or after the effective date of
10 this Act. A contract entered into or renewed before that date is
11 governed by the law in effect on the date the contract was entered
12 into or renewed, and that law is continued in effect for that
13 purpose.

14 SECTION 3. If before implementing any provision of this Act
15 a state agency determines that a waiver or authorization from a
16 federal agency is necessary for implementation of that provision,
17 the agency affected by the provision shall request the waiver or
18 authorization and may delay implementing that provision until the
19 waiver or authorization is granted.

20 SECTION 4. This Act takes effect September 1, 2025.