

By: Lambert

H.B. No. 3409

A BILL TO BE ENTITLED

AN ACT

relating to creation of a schedule of support services a state supported living center may provide and procedures for establishing applicable fees for those services.

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

SECTION 1. Section 161.080, Human Resources Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) The executive commissioner by rule shall establish:

(1) a list of services a state supported living center may provide under a contract described by Subsection (a); and

(2) procedures for the commission to create, maintain, and amend as needed a schedule of fees that a state supported living center may charge for a service included in the list described by Subdivision (1).

(d) In creating a schedule of fees, the commission shall:

(1) use the reimbursement rate for the applicable service under the Medicaid program; or

(2) modify that rate with a written justification for the modification and after holding a public hearing on the issue of the modification.

(e) Notwithstanding Subsection (c), a state supported living center, based on negotiations between the center and a managed care organization, as defined by Section 533.001, Government Code, may charge a fee for a service other than the fee

1 provided by the schedule of fees created by the commission under
2 this section.

3 SECTION 2. Not later than September 1, 2018, the executive
4 commissioner of the Health and Human Services Commission shall
5 adopt the rules listing services a state supported living center
6 may provide under a contract and the procedures for the commission
7 to create the schedule of fees for those services, as required by
8 Section 161.080, Human Resources Code, as amended by this Act.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2017.