

BILL ANALYSIS

Senate Research Center

S.B. 1165
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Health & Human Services
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As Filed

DIGEST

Currently, children with special health care needs are given no special consideration and must enroll along with all Medicaid-eligible patients in the Medicaid managed care pilot programs that are being rolled out across the state. The Senate Committee on Health and Human Services recommended in a report that the Health and Human Services Commission give special consideration to children with special health care needs to ensure that these children are being adequately served by state Medicaid program. To accomplish this goal, this bill requires the Commission to develop a standard operational definition of children with special health care needs, to develop a pilot program for children with special health care needs to determine the best way to serve these children in a managed care setting, and to allow the children with special health care needs to voluntarily enroll in Medicaid managed care.

PURPOSE

As proposed, S.B. 1165 sets forth the provisions and exceptions of managed care under the state Medicaid program for children with special health care needs.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Health and Human Services Commission in SECTION 1.01 (Article 4413(502), V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

ARTICLE 1

SECTION 1.01. Amends Section 16A, Article 4413(502), V.T.C.S., by amending Subsection (n) and adding Subsections (o) and (p), to prohibit the Health and Human Services (commission) from requiring a child with special health care needs who is eligible for medical assistance under Chapter 32, Human Resources Code, to enroll in a managed care plan to receive health care services. Requires the commission to perform certain duties in cooperation with the Texas Department of Health. Requires the commission, by rule, to prescribe qualifications for classification of a child as a "child with special health care needs" for purposes of Subsection (n) of this section. Sets forth types of disabilities the commission must include in prescribing qualifications for children. Makes a conforming change.

ARTICLE 2

SECTION 2.01. Amends Chapter 532B, Government Code, by adding Section 532.112, as follows:

Sec. 532.112. CHILDREN WITH SPECIAL HEALTH CARE NEEDS. Requires this section to expire September 1, 2001. Makes conforming and nonsubstantive changes.

ARTICLE 3

SECTION 3.01. Provides that Article 1 of this Act takes effect only if H.B. 1845 or S.B. 898 does not take effect.

SECTION 3.02. Provides that Article of this Act takes effect only if H.B. 1845 or S.B. 989 takes effect.

SECTION 3.03. Effective date: September 1, 1997.

SECTION 3.04. Emergency clause.