

BILL ANALYSIS

Senate Research Center
79R9736 MSE-D

S.B. 1329
By: Nelson
Health & Human Services
4/4/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Genetic services are key to the identification and treatment of a variety of disorders and are particularly important in prenatal counseling.

S.B. 1329, based on recommendations from the Interagency Council for Genetic Services created in 1987 to study and promote the use of genetic services in Texas, creates a task force to study best practices for educating medical students and local health care providers on genetic issues and to provide for their participation in genetic services clinics; creates a license for genetic counselors; and calls for recruitment strategies and educational programs to attract diversity in genetic counseling programs and train providers in cultural competency. S.B. 1329 also requires prompt payment provisions in the Children's Health Insurance Program and Medicaid contracts for appropriate claims by clinical geneticists.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 62.155, Health and Safety Code), SECTION 2 (Section 32.068, Human Resources Code), and SECTION 8 (Section 134.009, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 62.155, Health and Safety Code, by adding Subsection (e), to require the executive commissioner of the Health and Human Services Commission (HHSC), by rule, to require that any contract under the child health plan for the provision of genetic services contain provisions for the prompt payment of an appropriate claim by a clinical geneticist.

SECTION 2. Amends Subchapter B, Chapter 32, Human Resources Code, by adding Section 32.068, as follows:

Sec. 32.068. **CONTRACTS FOR GENETIC SERVICES.** Requires the executive commissioner of HHSC, by rule, to require that the medical assistance program provide prompt payment of an appropriate claim by a clinical geneticist for the provision of genetic services.

SECTION 3. Amends Sections 134.001(b) and (c), Human Resources Code, as follows:

(b) Provides that the Interagency Council for Genetic Services (council) consists of a representative of the Department of Aging and Disability Services (DADS), rather than the Texas Department of Mental Health and Mental Retardation, appointed by the commissioner of that department, rather than the commissioner of mental health and mental retardation, a representative of the Department of State Health Services (DSHS), rather than the Texas Department of Health, appointed by the commissioner of that department, rather than the commissioner of health. Makes conforming changes.

(c) Makes conforming and nonsubstantive changes.

SECTION 4. Amends Section 134.003(b), Human Resources Code, to make conforming changes.

SECTION 5. Amends Section 134.004, Human Resources Code, as follows:

Sec. 134.004. DUTIES. Amends existing requirements of the council to include specific new requirements.

SECTION 6. Amends Section 134.005, Human Resources Code, as follows:

Sec. 134.005. USE OF FUNDS. Makes conforming and nonsubstantive changes.

SECTION 7. Amends Section 134.006, Human Resources Code, as follows:

Sec. 134.006. ANNUAL REPORTS. Requires the council, annually, to submit a progress report to the executive commissioner of HHSC, to the commissioners, rather than boards, of DSHS and DADS, to the commissioner of insurance, rather than the Texas Department of Insurance, and to the board of regents of The University of Texas System. Makes conforming changes.

SECTION 8. Amends Chapter 134, Human Resources Code, by adding Sections 134.007, 134.008, and 134.009, as follows:

Sec. 134.007. TASK FORCE. Requires the commissioner of state health services to appoint a task force to study best practices for educating medical students and local health care providers on genetic issues and providing for their participation in genetic services clinics. Provides that members of the task force are not entitled to compensation, per diem, or expense reimbursement for their service on the task force.

Sec. 134.008. ADVISORY COMMITTEE ON LICENSING. Requires the commissioner of state health services to establish an advisory committee on the licensing of genetic counselors. Sets forth guidelines for the composition of the committee and the appointment of members to the committee. Requires DSHS to provide staff necessary for the advisory committee and requires the committee to make recommendations to the executive commissioner of HHSC with respect to the creation of licensing standards for genetic counselors. Provides that Section 2110.008 (State Agency Advisory Committees), Government Code, does not apply to the advisory committee.

Sec. 134.009. LICENSING OF GENETIC COUNSELORS. Prohibits a person from acting as a genetic counselor if the person does not hold a license issued in accordance with rules adopted under this section. Requires the executive commissioner of HHSC to adopt rules governing the licensing requirements for genetic counselors. Sets forth specific requirements for rules adopted by the executive commissioner and for the executive commissioner in adopting such rules.

SECTION 9. Effective date: September 1, 2005.