

**SUBJECT:** Medicaid procedures for ordering diabetic equipment and supplies

**COMMITTEE:** Public Health — favorable, without amendment

**VOTE:** 10 ayes — Kolkhorst, Naishtat, Coleman, J. Davis, Hopson, S. King, Laubenberg, McReynolds, Truitt, Zerwas

0 nays

1 absent — Gonzales

**WITNESSES:** For — Bruce Tyler, Healthcare Improvement Association of Texas; (*Registered, but did not testify:* Veronica DeLaGarza, American Diabetes Association; Allie DeBeer; Stephen Lummus, Texas Academy of Physician Assistants; Glenda Velji; Lynda Woolbert, Coalition for Nurses in Advanced Practice)

Against — None

On — Billy Millwee, Health and Human Services Commission

**BACKGROUND:** For a Medicaid client to obtain diabetic equipment and supplies, the client must take a prescription from the client's doctor to a vendor authorized to dispense the supplies. The dispenser fills out a Title XIX Durable Medical Equipment/Medical Supplies Physician Order Form and must return the form to the physician to fill out the bottom half of the form before the order can be dispensed.

**DIGEST:** HB 1487 would require the Health and Human Services Commission, to the extent practicable, to modify the rules and procedures applicable to written orders for diabetic equipment and supplies under the Medicaid program to make them comparable to the ordering system in the Medicare program. The ordering system would have to permit the following people to complete forms by hand or electronically to provide the information required to dispense diabetic equipment or supplies:

- a physician;
- a physician assistant;

- a nurse practitioner;
- a clinical nurse specialist;
- a provider of diabetic equipment or supplies; or
- any staff member or employee designated by one of these individuals.

A provider of diabetic equipment and supplies could bill and collect payment for dispensing the equipment and supplies if the provider had a copy of the order form that met the information requirements and was signed by a medical practitioner licensed in Texas to treat diabetic patients. Additional documentation could not be required.

The bill would take effect September 1, 2009.

**SUPPORTERS  
SAY:**

HB 1487 would simplify the process for ordering diabetic equipment and supplies through the Medicaid program by aligning the procedures with those in the federal Medicare program. The current Medicaid process is needlessly cumbersome, redundant, and administratively complex.

No other state requires as much information as Texas does to dispense diabetes supplies. A patient must obtain a doctor's prescription and take it to a supply dispenser, who duplicates much of the prescription information in filling out a Title XIX form. The form then must be returned to the doctor for completion and given back to the dispenser before Medicaid patients can receive their diabetes supplies.

More than 250,000 Medicaid patients have diabetes. HB 1487 would increase access to diabetes supplies to these patients, who are among the most disadvantaged and at-risk patients in the state. By reducing the inefficiencies in the current diabetic supply dispensing process, the bill could minimize medical complications from delay in diabetes treatment and subsequently reduce Medicaid treatment costs.

This bill would reduce paperwork and improve access to supplies for diabetic Medicaid clients and would not expand prescribing authority to any practitioner that did not currently have authority to prescribe medical equipment and supplies. It would allow other health professionals to fill out the diabetes supply order form, but a physician still would be required to sign the form to authorize dispensing.

OPPONENTS  
SAY:

The language in HB 1487 should be clarified to ensure that the bill does not expand prescribing authority for durable medical equipment and supplies beyond the practitioners currently authorized to make such prescriptions. The bill states that the order form would have to be signed by “a medical practitioner licensed in this state to treat diabetic patients.” Without clarification, this language could be interpreted too broadly to encompass more licensed fields than physicians, who are currently the only practitioners who may prescribe durable medical equipment and supplies.

NOTES:

The companion bill, SB 1881 by Nelson, has been referred to Senate Health and Human Services.