

SUBJECT: Applying certain fraud prevention provisions to CHIP and HTW

COMMITTEE: Human Services — favorable, without amendment

VOTE: 8 ayes — Frank, Rose, Hull, Klick, Manuel, Noble, Ramos, Shaheen
0 nays
1 absent — Campos

SENATE VOTE: On final passage (April 3) — 31 - 0

WITNESSES: For — (*Registered, but did not testify*: Liinda Durnin; Steven Rainer; Melissa Rowell)

Against — (*Registered, but did not testify*: Robin Hoffpauir, ADAPT)

On — (*Registered, but did not testify*: Liz Brown Fore, Office of the Attorney General)

BACKGROUND: Some have suggested that Medicaid fraud prevention laws should also apply to other state-funded health care programs.

DIGEST: SB 745 would apply provisions related to Medicaid fraud prevention to the Children’s Health Insurance Program (CHIP) and Healthy Texas Women (HTW). These provisions would include certain unlawful acts related to fraud, disciplinary action and civil penalties, attorney general action, and use of recovered funds, among other relevant provisions.

The bill would repeal definitions of “Medicaid recipient” and “Medicaid program” and instead would define “health care recipient” and “health care program” to include CHIP and HTW in addition to Medicaid.

If a state agency determined that a waiver or authorization from a federal agency was necessary to implement the bill, the agency would be required to request the waiver and could delay implementation until the waiver or

authorization was granted.

The bill would take effect September 1, 2023, and would apply only to unlawful acts committed on or after the effective date.

NOTES:

According to the Legislative Budget Board, the fiscal implications of SB 745 cannot be determined due to the unknown impact on payment recoveries or penalties collected under the bill.