CHAPTER 379
H.B. No. 1470

AN ACT relating to notification regarding entitlement of school district employees to leave time in circumstances involving assault.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 22.003, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Any informational handbook a school district provides to employees in an electronic or paper form or makes available by posting on the district website must include notification of an employee’s rights under Subsection (b) in the relevant section of the handbook. Any form used by a school district through which an employee may request leave under this section must include assault leave under Subsection (b) as an option.

SECTION 2. This Act applies beginning with the 2009-2010 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on May 12, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 380
H.B. No. 1487

AN ACT relating to the alignment of certain Medicaid procedures regarding written orders for diabetic equipment and supplies with comparable Medicare written order procedures.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.099 to read as follows:

Sec. 531.099. ALIGNMENT OF MEDICAID DIABETIC EQUIPMENT AND SUPPLIES WRITTEN ORDER PROCEDURES WITH MEDICARE DIABETIC EQUIPMENT AND SUPPLIES WRITTEN ORDER PROCEDURES. (a) The commission shall review forms and requirements under the Medicaid program regarding written orders for diabetic equipment and supplies to identify variations between permissible ordering procedures under that program and ordering procedures available to providers under the Medicare program.

(b) To the extent practicable, and in conformity with Chapter 157, Occupations Code, and Chapter 483, Health and Safety Code, after conducting a review under Subsection (a) the commission shall modify only forms, rules, and procedures applicable to orders for diabetic equipment and supplies under the Medicaid program.

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equipment and supplies under the Medicaid program to provide for an ordering system that is comparable to the ordering system for diabetic equipment and supplies under the Medicare program. The ordering system must permit a diabetic equipment or supplies supplier to complete the forms by hand or to enter by electronic format medical information or supply orders into any form as necessary to provide the information required to dispense diabetic equipment or supplies.

(c) A provider of diabetic equipment and supplies may bill and collect payment for the provider’s services if the provider has a copy of the form that meets the requirements of Subsection (b) and that is signed by a medical practitioner licensed in this state to treat diabetic patients. Additional documentation may not be required.

SECTION 2. The Health and Human Services Commission may use state money to implement Section 531.099, Government Code, as added by this Act, only if the overall cost to the state of operating the Medicaid program does not increase as a result of aligning diabetic equipment and supplies written order procedures with Medicare diabetic equipment and supplies written order procedures as required by that section.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 4. This Act takes effect September 1, 2009.

Passed by the House on May 1, 2009: Yeas 135, Nays 1, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1487 on May 23, 2009: Yeas 136, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 381

H.B. No. 1518

AN ACT

relating to the addition of territory to and the amount of production fees imposed by the Trinity Glen Rose Groundwater Conservation District.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 13, Chapter 1312, Acts of the 77th Legislature, Regular Session, 2001, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (i) of this section, the board of directors may impose [reasonable] fees on each nonexempt well in the district. The fees may be assessed annually, based on:

1. the size of column pipe used in the well;
2. the production capacity of the well; or
3. actual, authorized, or anticipated pumpage.

(b-1) The district may not impose a fee under Subsection (b) of this section in an amount greater than:

1. $1 per acre-foot for water used for agricultural purposes; or
2. $40 per acre-foot for water used for any other purpose.

SECTION 2. Chapter 1312, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 19A to read as follows:

Sec. 19A. EFFECT OF ANNEXATION OF LAND BY CERTAIN MUNICIPALITIES. (a) In this section: