

BILL ANALYSIS

Senate Research Center
78R2343 KEG-D

S.B. 245
By: Zaffirini
Health and Human Services
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DIGEST AND PURPOSE

Currently, respiratory care therapists cannot bill Medicaid. Over the past 50 years, respiratory care has moved from being primarily a hospital-based service to one that is provided in a variety of care alternative sites, especially in the home. As proposed, S.B. 245 requires Medicaid to reimburse respiratory care practitioners for respiratory therapy and allows health agencies the option of using respiratory care practitioners in addition to a licensed nurse or physical therapist who typically provides respiratory therapy as part of a plan of care.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.024(p), Human Resources Code, to require the Health and Human Services Commission (HHSC) to provide home respiratory services to a recipient of medical assistance under this chapter, rather than to a ventilator dependent person, to the extent permitted by federal law.

SECTION 2. Amends Section 32.027(c), Human Resources Code, to make conforming and nonsubstantive changes.

SECTION 3. Authorizes a state agency to delay implementing a provision of this Act until a requested federal waiver or authorization necessary to implement that provision is granted.

SECTION 4. Effective date: September 1, 2003.