

BILL ANALYSIS

Senate Research Center
83R2527 KFF-D

S.B. 682
By: Campbell
Health & Human Services
3/28/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently the Health and Human Services Commission sets forth payment rates for health care providers by rule. Conflicting agency rules set the reimbursement for physician assistants, certified nurse midwives, certified registered nurse anesthetists, nurse practitioners, and clinical nurse specialists at 92 percent of the physician rate while at the same time allowing the full physician rate to be paid whether the services were provided by a physician or other medical provider.

S.B. 682 requires that advanced practice nurses and physician assistants be acknowledged by their unique national provider identifier on any submission for payment where they were the primary provider of medical services and that the Health and Human Services Commission may reimburse the claim only at the non-physician reimbursement rate.

S.B. 682 represents a Legislative Budget Board Government Efficiency and Effectiveness Recommendation.

As proposed, S.B. 682 amends current law relating to reimbursement for services provided by advanced practice nurses and physician assistants under the Medicaid program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Health and Human Services Commission or an agency operating part of the medical assistance program, as appropriate, and to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 32.0426, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 32, Human Resources Code, by adding Section 32.0426, as follows:

Sec. 32.0426. REIMBURSEMENT FOR SERVICES PROVIDED BY ADVANCED PRACTICE NURSES AND PHYSICIAN ASSISTANTS. (a) Defines "advanced practice nurse," "national provider identifier," and "physician assistant" in this section.

(b) Provides that if an advanced practice nurse or a physician assistant provides a service to a recipient under the medical assistance program at the direction or under the supervision of another provider and the advanced practice nurse or physician assistant, as applicable, is the primary provider of the service the name and associated national provider identifier of the advanced practice nurse or physician assistant, as applicable, is required to be included as the rendering provider on any claim for reimbursement submitted by a provider, and the Health and Human Services Commission (HHSC) or an agency operating part of the medical assistance program, as appropriate, is authorized to reimburse the claim only at the provider level established by rule for an advanced practice nurse or physician assistant, as applicable.

(c) Authorizes the executive commissioner of HHSC to adopt rules necessary to implement this section.

SECTION 2. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2013.