

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 2086
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Health & Human Services
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Government Code currently has multiple references to required electronic portals that Medicaid providers should be able to access in order to accomplish a number of claims-related tasks that they must routinely do. Many suggest that by combining these portals into a single state-run portal, providers of Medicaid services would more efficiently be able to accomplish their administrative tasks than in the current environment.

S.B. 2086 would require the Health and Human Services Commission (HHSC) to consolidate certain electronic or Internet portals to streamline billing and claims processes. HHSC would in turn require managed care organizations to allow providers to use the consolidated portal. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2086 amends current law relating to a single Internet portal or equivalent electronic system through which Medicaid providers may submit and receive information.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 533.0055, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 533.0055, Government Code, by amending Subsection (b) and adding Subsections (c), (d), and (e), as follows:

(b) Requires the provider protection plan required under this section (Provider Protection Plan) to provide for:

(1) makes no changes to this subdivision;

(2) prompt and accurate adjudication of claims through:

(A) makes no changes to this paragraph;

(B) acceptance of uniform forms, including HCFA Forms 1500 and UB-92 and subsequent versions of those forms, through an interoperable electronic portal or equivalent electronic system, rather than through an electronic portal; and

(C) makes no changes to this paragraph.;

(3)–(5) makes no change to these subdivisions;

(6) establishment and maintenance of an interoperable Internet portal or equivalent electronic system with real-time capabilities, rather than establishment of an electronic process, including the use of an Internet portal, through which providers in any managed care organization's provider network may perform certain tasks;

(7) makes no changes to this subdivision;

(8) the creation of a work group to review and make recommendations to the Health and Human Services Commission (HHSC) concerning any requirement under this subsection for which immediate implementation is not feasible at the time the plan is otherwise implemented, including the required process for submission and acceptance of attachments for claims processing and prior authorization requests through the Internet portal or equivalent electronic system required by, rather than through an electronic process under, Subdivision (6) and, for any requirement that is not implemented immediately, recommendations regarding certain information; and

(9) makes no changes to this subdivision.

(c) Requires HHSC, using existing resources, to consolidate each electronic or Internet portal operated or maintained by HHSC for HHSC's use, including through a contract with a separate entity, that is used to receive and deliver requests and other information from and to Medicaid providers, including nursing facility providers participating in the STAR+PLUS Medicaid managed care program, into the single Internet portal or equivalent electronic system required by Subsection (b)(6). Requires HHSC to:

(1) ensure the single Internet portal or equivalent electronic system meets the requirements of a portal described by Sections 531.02411 (Streamlining Administrative Processes), 533.00251 (Delivery of Certain Benefits, Including Nursing Facility Benefits, Through STAR+PLUS Medicaid Managed Care Program), 533.002553 (Behavioral Health Services Provided Through Third Party or Subsidiary), and 533.0071 (Administration of Contracts); and

(2) implement a method that allows:

(A) each managed care organization to connect with the single Internet portal or equivalent electronic system; and

(B) a provider to access the single Internet portal or equivalent electronic system both directly and through a managed care organization's Internet website.

(d) Authorizes HHSC to contract with a private or nonprofit entity to develop, operate, and maintain the single Internet portal or equivalent electronic system required by Subsection (b)(6). Prohibits the entity from being affiliated with any specific managed care plan, the Texas Medicaid and Healthcare Partnership, or another entity serving as the state's Medicaid claims administrator.

(e) Requires the executive commissioner of HHSC by rule to require each managed care organization to allow providers in the organization's provider network to use the single Internet portal or equivalent electronic system required by Subsection (b)(6).

(f) Authorizes a provider in a managed care organization's provider network, notwithstanding any other law, to continue to use a provider portal made available by the managed care organization that is interoperable with the single Internet portal or equivalent electronic system, as applicable, required by Subsection (b)(6) instead of accessing the single Internet portal or equivalent electronic system directly.

SECTION 2. Requires HHSC, not later than January 1, 2021, or an entity with which HHSC contracts, to develop and implement the single Internet portal or equivalent electronic system required by Section 533.0055, Government Code, as amended by this Act.

SECTION 3. Effective date: upon passage or September 1, 2019.