

BILL ANALYSIS

Senate Research Center
76R15515 KKA-F

H.B. 1285
By: Janek (Nelson)
Health Services
5/12/1999
Committee Report (Amended)

DIGEST

Currently, Texas law does not require the presence of a child's parent or guardian during a visit to the child's Medicaid primary care physician. Some questions regarding physician reimbursement from Medicaid have been raised, because of the lack of a witness to treatment. H.B. 1285 would require the Texas Department of Human Services to require a child younger than 15 to be accompanied by the child's parent, guardian, or another adult authorized by the parent or guardian to accompany the child at a visit or screening as a condition of eligibility for physician reimbursement under Medicaid.

PURPOSE

As proposed, H.B. 1285 requires a child to be accompanied at a medical visit or screening by an adult authorized by the child's parent or guardian if the child is under 15, in order to be reimbursed for the costs of the visit or screening.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.024, Human Resources Code, by amending Subsection (s) and adding Subsection (s-1), as follows:

(s) Requires the Texas Department of Human Services, in its rules governing the early and periodic screening, diagnosis, and treatment program, to require, as a condition for eligibility for reimbursement under the program for the cost of services provided at a visit or screening, that a child younger than 15 years of age be accompanied at the visit or screening by the child's parent or guardian, or another adult, including an adult related to the child, authorized by the child's parent or guardian to accompany the child. Makes conforming changes.

(s-1) Provides that Subsection (s)(2) does not apply to services provided by a school health clinic, Head Start program, or child-care facility, as defined by Section 42.002, if the clinic, program, or facility obtains written consent to the services from the child's parent or guardian within the one-year period preceding the date on which the services are provided, and that consent has not been revoked, and encourages parental involvement in and management of the health care of children receiving services from the clinic, program, or facility.

SECTION 2. Requires a state agency to request the waiver or authorization and to delay implementing that provision until the waiver or authorization is granted, if before implementing any provision of this Act the state agency determines that a waiver or authorization from a federal agency is necessary for implementation.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.