

## **BILL ANALYSIS**

Senate Research Center  
80R7246 UM-F

H.B. 2042  
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Health & Human Services  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, there is not an easy way for patients to determine which physicians and providers participate in Medicaid or, of those who do, who is accepting new patients. Lack of such information makes it difficult for patients to select a physician or other provider, and may delay a patient obtaining the care he or she needs. Additionally, without a central database of participating providers, it is difficult for physicians and health care providers to arrange referrals for needed specialty or dental care, often delaying needed treatment and fueling providers' frustration with Medicaid.

H.B. 2042 requires the executive commissioner of the Health and Human Services Commission to establish and administer an electronic, searchable, web-based database of all participating Medicaid providers. The database would include physicians, dentists, pharmacists, community clinics, mental health counselors, optometrists, and other types of Medicaid providers.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 32.105, Human Resources Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

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

#### **SUBCHAPTER C. MEDICAL ASSISTANCE PROGRAM PROVIDER DATABASE**

Sec. 32.101. DEFINITIONS. Defines "executive commissioner," "health care provider," "managed care organization," "managed care plan," "participating provider," "physician," and "recipient."

Sec. 32.102. DATABASE OF MEDICAL ASSISTANCE PROGRAM PROVIDERS.  
(a) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) to establish and administer an electronic, searchable, Internet-based database of all participating providers in the medical assistance program (database).

(b) Requires the database to include, as applicable, certain information regarding each participating provider.

(c) Requires the executive commissioner, in establishing the database, to ensure that the database allows a person to search a managed care organization by name and by participating provider within each of the managed care plans offered by that managed care organization, allows a participating provider to electronically access and change or update the information required by Subsection (b)(1), (2), or (3), and is available and accessible to each participating provider and each recipient.

(d) Requires the executive commissioner to ensure that the database is updated continually and at least once a month.

Sec. 32.103. CERTAIN FEES PROHIBITED. Prohibits a person, including the executive commissioner, a person acting under Section 32.104, or a managed care organization, from charging a participating provider or a recipient a fee, directly or indirectly, for making information available or for accessing information in the database established under this subchapter.

Sec. 32.104. AUTHORITY TO CONTRACT. (a) Authorizes the executive commissioner to oversee and supervise the contractor and the database.

(b) Requires a contract entered into under this section to allow the executive commissioner to oversee and supervise the contractor and the database.

Sec. 32.105. RULES. Requires the executive commissioner to adopt rules to implement and administer this subchapter.

SECTION 2. Requires the executive commissioner to adopt the rules required by Section 32.105, Human Resources Code, as added by this Act, not later than January 1, 2008.

SECTION 3. Effective date: upon passage or September 1, 2007.