

## **BILL ANALYSIS**

Senate Research Center

S.B. 2424  
By: Deuell  
Health & Human Services  
8/31/2009  
Enrolled

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

Current statutes require that all ambulance non-emergency transport services be authorized prior to the delivery of services. Prior to 2008, the Health and Human Services Commission (HHSC) evaluated ambulance non-emergency transportation requests Monday through Friday, from 7:00 a.m. to 7:00 p.m., excluding federal holidays; requests made at other times were reviewed the following business day and a retrospective prior authorization was issued.

However, upon further analysis, HHSC attorneys found that the Human Resources Code required HHSC to have resources available to respond to non-emergency ambulance prior authorization requests 24 hours a day, seven days a week, and 365 days a year. The cost of these expanded hours since June 2008, is \$324,000 (\$162,000 GR). This bill would minimize operational costs for a service that impacts very few prior authorization requests and allow HHSC to return to former prior authorization practices without disrupting client services.

S.B. 2424 amends current law relating to the authorization of certain nonemergency ambulance services under the Medicaid program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Health and Human Services Commission in SECTION 1 (Section 32.024, Human Resources Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 32.024(t), Human Resources Code, as follows:

(t) Requires the Health and Human Services Commission (HHSC) by rule to require a physician, nursing facility, health care provider, or other responsible party to obtain authorization from HHSC or a person authorized to act on behalf of HHSC on the same day or the next business day following the day of transport when, rather than on behalf of HHSC before, an ambulance is used to transport a recipient of medical assistance under this chapter in circumstances not involving an emergency and the request is for the authorization of the provision of transportation for only one day. Requires HHSC by rule, if the request is for authorization of the provision of transportation on more than one day, to require a physician, nursing facility, health care provider, or other responsible party to obtain a single authorization before an ambulance is used to transport a recipient of medical assistance under this chapter in circumstances not involving an emergency. Sets forth certain requirements of the rules, including that a request for authorization is required to be immediately granted and effective for a period of not more than 180 days from the date of issuance if the request includes a written statement containing certain information from a physician; and that HHSC or a person authorized to act on behalf of HHSC is required to be available to evaluate requests for authorization under this subsection not less than 12 hours each day, excluding weekends and state holidays.

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

SECTION 3. Effective date: upon passage or September 1, 2009.