

Relevant Texas House of Representatives Committee Interim Charges (2015-16)

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Appropriations Committee:

7. Monitor the implementation of HB 2 (84R) as it pertains to the short-term funding provided to TRS-Care. Evaluate additional methods to address the health care needs of retired teachers in light of the current health insurance market, including the feasibility and costs associated with retired teachers not eligible for Medicare remaining on a school district's health care plan until Medicare eligible.

8. Monitor the ongoing implementation of SB 20 (84R) and Article IX, Sec. 7.12 of the General Appropriations Act, HB 1 (84R). Study trends in state contracting as developed by the Legislative Budget Board and recommend new and/or modified strategies to ensure all contracting is executed in a transparent and judicious manner.

9. Review hospital reimbursement methodologies, including supplemental payments and the Medicaid add-on payments directed by HB 1 (84R) for safety-net and trauma facilities. In the review, include reimbursement methodologies for rural and children's hospitals. Also, monitor the extension of the Texas Healthcare Transformation and Quality Improvement 1115 waiver.

10. Review the Texas Medicaid programs providing long-term services and support to adults or children with medical, physical, or intellectual and developmental disabilities (IDD). Study reimbursement methodologies, the historical appropriated slot allocation compared to the actual fill rate, the procedure of releasing slots to providers, and the impact and timeline of carving services into Medicaid managed care. Identify potential obstacles for the delivery of community long-term services and support, including the availability of community care workers. Make any needed recommendations to improve community long-term services and supports.

11. Study the trauma system in the State of Texas, including financing, service delivery, planning, and coordination among Emergency Medical Services providers, Trauma Services Area Regional Advisory Councils, The Emergency Medical Task Force, and hospitals. Determine strengths and weaknesses including challenges for rural areas of the state. Make recommendations to reduce any duplicated services, improve the coordination of services, and advance the delivery of trauma services in Texas. (Joint charge with the House Committee on Public Health)

12. Examine the historical growth of the Texas Medicaid program, including factors affecting caseload and cost trends. Review legislative or policy initiatives created to detect or deter waste, fraud and abuse; to reduce cost; or improve the quality of healthcare in the Texas Medicaid program. Evaluate the effectiveness of, and identify savings associated with, these initiatives.

Business and Industry Committee:

7. Study the following aspects of the designated doctor process in the Texas workers' compensation system:
 - a. the Division of Workers' Compensation's (DWC's) processes for educating, monitoring, and evaluating designated doctors;
 - b. whether the DWC requires additional authority to regulate designated doctors or entities providing services for designated doctors; and
 - c. any unique issues with "traveling" designated doctors.

Human Services Committee:

4. Review the Health and Human Services Commission's Medicaid managed care organizations policies and procedures including a review of quality initiatives. Study contract management and assess the Vendor Drug Program drug formularies and current function. Identify the savings achieved by moving Medicaid into managed care. Determine what mechanisms or policies could be modified or strengthened to encourage increased participation or retention of health care providers in the Medicaid managed care system.

Insurance Committee:

2. Examine the effectiveness of previous legislative efforts to encourage transparency and adequacy of health care networks, and of legislation to protect consumers from the negative impacts of disputes over out-of-network services. Study whether enhancements in transparency or regulation are necessary.
3. Evaluate the statutory penalty calculations under Texas's prompt payment laws regarding health care claims. Include an analysis of whether the proper benchmarks are used to establish penalties commensurate with an improper payment and the effect of the abolition of the Texas Health Insurance Pool on the use of funds collected under the statute.
7. Review the implementation of HB 2929 (83R). Examine the bill's impact and compliance among affected health plans. Examine the costs incurred by the Employees Retirement System, Teacher Retirement System, and any other affected state health plans as a result of the legislation.
8. Review current statutory provisions regarding the prosecution of workers' compensation insurance fraud. Examine ways to maintain or enhance fraud prosecution while ensuring a fair process for all parties involved.

Licensing & Administrative Procedures Committee:

1. Identify all occupations licensed by the state to determine if they are necessary for public safety and health. Determine if any criminal penalties associated with licensure are unnecessarily punitive, recommend methods to improve reciprocity with other states, and determine if a mandatory certification program could be used in lieu of mandatory licensure.

Public Health Committee:

1. Study and assess the state's preparedness for public health threats and emergencies including responding to natural disasters and highly infectious diseases. Review current protocols and examine public health resources to determine if they are sufficient. Identify weaknesses within the public health response framework and make recommendations for improvements.

2. Study the impact of chronic disease in Texas and identify the major regional chronic health challenges. Review the types of health data collected by the state related to chronic disease and how the data is utilized to improve health care. Study state programs targeting chronic disease, including the Texas Health Improvement Network, and identify the direct and indirect costs associated with obesity, tobacco, and other related chronic health conditions including impacts to Medicaid, Employees Retirement System, Teacher Retirement System, University of Texas System, and Texas A&M University System. Identify public health interventions for chronic disease and preventative healthcare services that improve health outcomes and reduce cost.

3. Examine the history of telemedicine in Texas and the adequacy of the technological infrastructure for use between Texas healthcare providers. Review the benefits of using telemedicine in rural and underserved areas and current reimbursement practices. Explore opportunities to expand and improve the delivery of healthcare and identify methods to increase awareness by provider groups, including institutions of higher education, and payers of telemedicine activities being reimbursed in Texas.

4. Review programs focused on improving birth outcomes including evaluating the effectiveness and identifying any cost avoidance associated with them. Study barriers pregnant women face enrolling in services and receiving regular prenatal care. Identify factors, including substance abuse, associated with preterm birth and review services available for mothers postpartum.

5. Study the trauma system in the State of Texas including financing, service delivery, planning, and coordination between Emergency Medical Services providers, Trauma Services Area Regional Advisory Councils, The Emergency Medical Task Force, and hospitals. Determine strengths and weaknesses including challenges for rural areas of the state. Make recommendations to reduce any duplicated services, improve the coordination of services, and advance the delivery of trauma services in Texas. (Joint charge with the House Committee on Appropriations)

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Veteran Affairs and Military Installations Committee:

- Strike Force, VA Health, Mental Health: Study the state of veteran health and mental health in Texas. Review the progress made by state strike force teams to reduce the claims backlog and decrease wait times at VA hospitals. Evaluate if the passage of the federal Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 and other state initiatives have improved access and outcomes. Determine if state strike force teams should continue as established and make recommendations on necessary changes.

Health and Human Services Committee:

- Protecting the Unborn:
 - Part I: Examine and make recommendations on the use of fetal tissue provided for research purposes and how related laws governing abortion procedures are interpreted and enforced.
 - Part II: Examine the cause of action known as “wrongful birth.” The study should examine (1) its history in Texas, (2) its effect on the practice of medicine, and (3) its effect on children with disabilities and their families. Examine related measures proposed or passed in other states.
- Protection of Children
 - Part I: Reducing Recurrence of Child Abuse and Neglect: Examine the current process that Child Protective Services uses to track recurrence of child abuse and neglect, and make recommendations to improve data tracking and the use of that data to assist in preventing recurrence. The study should examine the differences in recurrence among families who received services, families who received no services and had their cases closed, and families who had their children removed from the home.
 - Part II: Addressing High-Acuity Needs of Foster Care Children: Study the increase in higher acuity children with trauma and mental illness in the state foster care system, and recommend ways to ensure children have timely access to appropriate treatment and placement options.
 - Part III: Strengthening Adoptions: Examine the frequency, causes, and effects of disrupted foster care adoptions and make recommendations to improve the long-term success of adoptive placements. Study and make recommendations on ways to ensure a smooth transition for foster care children who are exiting the system.
- Healthy Aging:
 - Part I: Study and make recommendations on innovative methods and best practices to promote healthy aging for the state’s population and reduce chronic medical and behavioral health conditions. Identify opportunities for improved collaboration to promote healthy aging in the health and human services system at the state, regional and local levels.

- Part II: Examine and recommend ways to improve quality and oversight in long-term care settings, including nursing homes and ICF/HCS programs. Monitor the implementation of legislation addressed by the Senate Committee on Health and Human Services during the 84th Regular Session related to the revocation of nursing home licenses for repeated serious violations.
- Medicaid Reform and State Innovation: Study the impact of the Section 1115 Texas Healthcare Transformation and Quality Improvement Program Waiver on improving health outcomes, reducing costs, and providing access to health care for the uninsured, and monitor the renewal process of the waiver. Explore other mechanisms and make recommendations to control costs and increase quality and efficiency in the Medicaid program, including the pursuit of a block grant or a Section 1332 Medicaid State Innovation Waiver for the existing Medicaid program.
- Inpatient Mental Health System Reform: Study and make recommendations on establishing collaborative partnerships between state-owned mental health hospitals and university health science centers to improve inpatient state mental health services, maximize the state mental health workforce, and reduce healthcare costs.
- Mental Health Diversion and Forensic Capacity: Study the impact of recent efforts by the legislature to divert individuals with serious mental illness from criminal justice settings and prevent recidivism. Study and make recommendations to address the state's ongoing need for inpatient forensic capacity, including the impact of expanding community inpatient psychiatric beds.
- Improving Access to Care through TeleHealth: Study and make recommendations on the appropriate use, scope and application of tele-monitoring and telemedicine services to improve management and outcomes for adults and children with complex medical needs and for persons confined in correctional facilities. Examine barriers to implementation of these services and any impact on access to health care services in rural areas of the state.
- Review of Refugee Resettlement Program: Study the impact to the state of the increasing number of refugees relocating to Texas, including the range of health and human services provided. Examine the authority of the state to reduce its burden under the Refugee Resettlement Program, and any state-funded services.
- Monitoring Charge: Monitor the implementation of legislation and riders related to health and human services that were considered by the 84th Legislature, Regular Session and make recommendations for any legislation needed to improve, enhance, and/or complete implementation, including but not limited to:
 - The impact of changes made by the Department of Family and Protective Services, Child Protective Services on child safety, workforce retention, prevention, and permanency;
 - Initiatives to reduce Medicaid fraud, waste and abuse, and other cost containment strategies, including examining the processes and procedures used by managed care organizations to address Medicaid fraud, waste and abuse; and □ The consolidation and expansion of women's health programs at the Health and Human Services Commission.

Finance Committee:

- **Coordinating Behavioral Health Services and Expenditures:** Monitor the state's progress in coordinating behavioral health services and expenditures across state government, pursuant to Article IX Sec. 10.04. Identify ways state agencies that provide mental health services are collaborating and taking steps to eliminate redundancy, create efficiency, utilize best practices, ensure optimal service delivery, and demonstrate expenditures are coordinated and in furtherance of a behavioral health statewide strategic plan. Identify barriers that prevent the coordination of behavioral health services. Make recommendations to maximize use of state funding for mental health.

Business and Commerce Committee:

- **Occupational Licensing:** Review all occupations licensed under Texas law to determine the extent to which continued state regulation and licensure is required to protect public health and safety. Examine methods to ensure greater legislative oversight of new regulations, scope, and necessity of certain licenses and make recommendations for state licenses that should be repealed or transitioned to private-sector enforcement.
- **Texas Prompt Pay Law:** Study the impact of the penalty calculations under the current prompt payment of health care claim laws and regulations, including comparing penalties in other states and late payment penalties in Texas for other lines of insurance. Evaluate whether unregulated billed charges is the appropriate basis for determining penalty amounts and make recommendations for statutory changes, if needed.