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AN ACT

relating to responsibility for payment for transport by ambulance of a recipient of medical assistance in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 32.024, Human Resources Code, is amended by amending Subsection (t) and adding Subsection (z) to read as follows:

(t) The department by rule shall require a physician, nursing facility, health care provider, or other responsible party to obtain authorization from the department or a person authorized to act on behalf of the department before an ambulance is used to transport a recipient of medical assistance under this chapter in circumstances not involving an emergency. The rules must provide that:

(1) except as provided by Subdivision (3), a request for authorization must be evaluated based on the recipient's medical needs and may be granted for a length of time appropriate to the recipient's medical condition;

(2) except as provided by Subdivision (3), a response to a request for authorization must be made not later than 48 hours after receipt of the request;

(3) a request for authorization must be immediately granted and must be effective for a period of 180 days from the date of issuance if the request includes a written statement from a

1 physician that:

2 (A) states that alternative means of  
3 transporting the recipient are contraindicated; and

4 (B) is dated not earlier than the 60th day before  
5 the date on which the request for authorization is made; [~~and~~]

6 (4) a person denied payment for ambulance services  
7 rendered is entitled to payment from the nursing facility, health  
8 care provider, or other responsible party that requested the  
9 services if:

10 (A) payment under the medical assistance program  
11 is denied because of lack of prior authorization; and

12 (B) the person provides the nursing facility,  
13 health care provider, or other responsible party with a copy of the  
14 bill for which payment was denied; and

15 (5) a person denied payment for services rendered  
16 because of failure to obtain prior authorization or because a  
17 request for prior authorization was denied is entitled to appeal  
18 the denial of payment to the department.

19 (z) The department shall incorporate physician-oriented  
20 instruction on the appropriate procedures for authorizing  
21 ambulance service into current medical education courses.

22 SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2003.

David Newkirk

President of the Senate

Jim Cusick

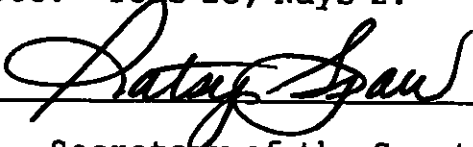
Speaker of the House

I certify that H.B. No. 111 was passed by the House on April 24, 2003, by the following vote: Yeas 138, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 111 on May 29, 2003, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 111 on May 31, 2003, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 111 was passed by the Senate, with amendments, on May 27, 2003, by the following vote: Yeas 29, Nays 2; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 111 on May 31, 2003, by the following vote: Yeas 28, Nays 2.

  
Secretary of the Senate

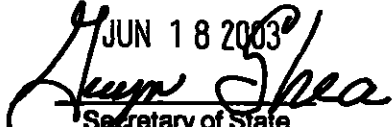
APPROVED: 18 JUN '03

Date



Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
6:30 pm O'CLOCK

JUN 18 2003  
  
Secretary of State