

TEXAS RURAL HEALTH FORUM LEGISLATIVE OVERVIEW

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A Late Start and Too Much Work

- A very late start – especially on the House side with a new speaker and new chairmen.
- Fewer committees in the House increasing the workload for some committees.
- Record number of bills to deal with – more than 8,000 filed (including special session).
- Many bills didn't even get a committee hearing and many others died along the way.
- Chubbing to avoid Voter ID killed hundreds.

The State Legislative Session

- 1,726 bills passed.
- 38 bills vetoed by Governor Perry including rural hospital physician employment.
- \$182 billion final state budget (for two year period).
- Overall increase of around 5-6%.
- Reduces current general fund spending by 2%.
- Maintains the state's "rainy day" fund of \$9 billion.
- Uses \$12 billion in federal stimulus funding.

SB 1 - The Budget Bill

- Cost based reimbursement (Rider 43) remains in place for rural hospitals. (Same as last Session).
- Appropriation for uncompensated trauma care upped to \$75M from \$52M.
- \$44.7M for the Professional Nursing Shortage Reduction Program - an increase of \$30M.
- \$109.4M for community mental health crisis services.

SB 1 – The Budget Bill

- Directive to the Texas Department of State Health Services to conduct study of the state's trauma facilities to assess the need for additional Level I and Level II facilities.
- Supplement of \$6M from the Trauma Fund to UT Health Science Center Houston (Memorial Hermann Hospital) – now the nation's busiest trauma center with closure of UTMB ER following Hurricane Ike.

Physician Employment

- HB 3485 passed but was vetoed by Governor Perry.
- Would have allowed employment of docs by public hospitals in counties 50K and less.
- Veto due to apparent confusion on some tort language that was in the bill.
- Local bills did pass to allow physicians employment at Parkland Hospital (Dallas) and Martin County Hospital (Stanton).
- Rural hospitals (and others) anticipate trying again next session.

Senate Bill 476

- SB 476 – So called “good” nursing bill passed.
- Hospitals required to have nurse staffing committee, policies and plans in place regarding staffing.
- No mandatory overtime.
- Exceptions.
- Provisions similar to state licensing requirements.
- Supported by Texas Hospital Association and Texas Nurses Association.

Senate Bill 7

- SB 7 (SB 10 from last session reincarnated) laying the groundwork for some health reform.
- Billed died in House logjam but many provisions were attached to other bills and eventually passed.
- Paves the way to potential reform and changes in Texas Medicaid.
- Proposes strategies for improvements/cost savings in CHIP and Medicaid.

Senate Bill 7

- Provisions for pilot programs, electronic health information exchange and patient risk identification.
- Areas of concern for hospitals are quality-based reimbursement, preventable adverse event reporting, and never event reimbursement.
- Details to be worked out over time by Texas Health and Human Services Commission.

House Bill 2154

- Establishes a loan repayment program for physicians who agree to practice in underserved areas (HPSA) and see Medicaid/CHIP patients.
- Funded by changing tax on smokeless tobacco from price to weight.
- Projected to bring in \$40-50 million a year.

House Bill 2154

- Will pay doctors up to \$160,000 across four years.
 - \$25,000 for the first year of working in a HPSA.
 - \$35,000 for year two.
 - \$45,000 for the third year.
 - \$55,000 for the fourth year.
- Higher Ed Coordinating Board to manage.
- Rules in development.

HB 1357

- Relates to free standing emergency clinics.
- Must be licensed by the state.
- Must operate 24/7 by August 31, 2013 to maintain license.
- If not 24/7 until then, may not advertise, market, or otherwise promote using the term "emergency" or any similar term.
- Certain standards of care and services required.

SB 1984

- Following persons can now provide written statement or prescription for a disabled parking placard for a person who resides in a county with a population of 125,000 or less.
 - (1) a person acting under the delegation and supervision of a licensed physician in conformance with Subchapter B, Chapter 157, Occupations Code; or
 - (2) a physician assistant licensed to practice in this state acting as the agent of a licensed physician under Section 204.202(e), Occupations Code.
- Effective since June 19

HB 1924

- Locked some rural hospital pharmacy operation practices into law.
- Allows rural hospital pharmacy techs to continue to perform some duties without direct supervision from a pharmacist.
- Places into law provisions which allow a nurse to remove drugs for patients when the pharmacy is closed.
- Board of Pharmacy proposing some rules associated with the new law which rural hospitals contend are in conflict with the new law and are burdensome.

ORCA Name Change

- HB 1918 changed the name of the Office of Rural Community Affairs (ORCA) to the Texas Department of Rural Affairs.
- Name change was effective on September 1.

Legislative Panel

Representative John Zerwas

Representative Joe Heflin

Julia Rathgeber

Jennifer Deegan