

87TH LEGISLATIVE SESSION RESULTS

The 87th Legislative Session was one of the most unique and challenging in recent history. Since Texas's last session gavelled out in June 2019, our state has been hit by a pandemic, a crippling economic crisis, and the fallout from deadly blackouts caused by a historic winter storm. These unprecedented circumstances significantly influenced the priorities and budget decisions of Texas leadership this session. The ongoing pandemic moved much of the early months of session online, making public access to lawmakers and information even more challenging. A revenue shortfall at the beginning of session turned out to be less severe than expected as economic projections continued to improve throughout the spring. Disagreements between the House and Senate characterized much of the 87th session, which ended with House Democrats walking out to break quorum and stop a vote on a controversial elections bill just before the end of session deadline. But, lawmakers will be back sooner rather than later, with at least one special session guaranteed in the fall to address redistricting and how to spend billions in federal COVID relief funds.

Despite these circumstances, progress was made on TACHC priorities, and several bad bills that would have negatively impacted health centers were stopped. In early April, House Speaker Dade Phelan laid out a House package of bi-partisan health priorities, which included four health center priority bills, including bills to advance telemedicine, promote broadband internet access, improve women's health, and keep kids covered by Medicaid. Having these important bills selected as House priorities helped them move swiftly through the lower chamber.

Unfortunately, the House priority package was missing legislation to address Texas's high uninsured rate through a health insurance coverage expansion. TACHC was hopeful heading into this session that we'd finally be able to get Medicaid expansion across the finish line, especially after health inequities were revealed more prominently by the COVID-19 pandemic. A coverage expansion bill in the House received bipartisan support, with nine Republicans signing on as joint authors, which is the number needed to garner a House majority. However, this was not enough to move state leadership, and no Medicaid expansion bill moved this session.

Below is a snapshot of where health center priorities landed when the legislature adjourned sine die on May 31st. Some passed and are waiting to be signed by the Governor, while others will need continued advocacy efforts over the interim to push the issues forward next session.



Support Telemedicine and Other Technology to Increase Access to Care

EXPAND BROADBAND INFRASTRUCTURE

HB 5 by Trent Ashby

Establishes a Broadband Development Office tasked with preparing a state broadband plan and awarding financial incentives in eligible areas to expand access to and adoption of service. **PASSED**

EXPAND TELEHEALTH SERVICES

HB 4 by Four Price

Requires HHS to ensure certain health care services can be provided through telehealth, telemedicine, telecommunications, or other information

technology. Creates a permanent audio-only Medicaid benefit for behavioral health services. Allows for Medicaid MCOs to expand patients and providers eligible to provide home telemonitoring services. **PASSED**

TELEDENTISTRY

HB 2056 by Stephanie Klick

Establishes teledentistry in Texas and allows dental providers to render services and receive reimbursement in Medicaid, CHIP, and other insurance products. Agencies are required to implement rules by March 1, 2022. **PASSED**

Improve Continuity of Coverage

CONTINUOUS ELIGIBILITY FOR CHILDREN

HB 290 by Philip Cortez

HB 290 aims to keep children enrolled in Medicaid by reducing the number of mid-year income checks. The bill would also extend timeframe for caregivers to submit paperwork from 10 days to 30 days. The bill passed as an amendment on a larger Medicaid bill. **PASSED AS AMENDED ON HB 2658**

POST- PARTUM COVERAGE FOR WOMEN

HB 133 by Toni Rose

Extends Medicaid coverage for eligible mothers from 60 days to 6 months after childbirth. The original version of the bill provided 12 months of coverage but was reduced to 6 months in the Senate. The bill also rolls the Healthy Texas Women program into managed care and was funded at \$47 million in state dollars. **PASSED AS MODIFIED**

Expand Health Insurance Coverage

LIVE WELL TEXAS

HB 3871 by Julie Johnson/SB 117 by Nathan Johnson

Would have established a Live Well Texas program to provide an insurance option to Texas adults below 138% of the poverty level, approximately 1.5 million people. Would have required Texas to work with the federal government on a Texas solution to Medicaid expansion through an 1115 waiver.

DID NOT PASS- NEITHER BILL RECEIVED A COMMITTEE HEARING

ADDITIONAL EFFORTS

Sen. Nathan Johnson proposed an amendment to SB 2028 which sought to require HHS to seek an 1115 waiver to expand Medicaid. **The amendment was not adopted.**

Rep. Julie Johnson proposed an amendment in the House to SB 1138 that would have required HHSC to conduct a cost benefit analysis on the state's failure to adopt Medicaid expansion. **The amendment was not adopted**

Improve Pandemic Response

SB 437 by Cesar Blanco

Requires the Texas Division of Emergency Management (TDEM) to establish the Personal Protective Equipment Reserve Advisory Committee composed of various health care and essential personnel representatives. The advisory committee

must include a representative from a statewide association representing primary care clinics. The committee can make recommendations on the creation of a state controlled personal protective equipment reserve under TDEM. **PASSED**