TITLE 1 ADMINISTRATION

PART 15 TEXAS HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 351 COORDINATED PLANNING AND DELIVERY OF HEALTH AND HUMAN SERVICES

SUBCHAPTER B ADVISORY COMMITTEES

DIVISION 1 COMMITTEES

§351.805. State Medicaid Managed Care Advisory Committee.

(a) Statutory authority. The State Medicaid Managed Care Advisory Committee (SMMCAC) is established in accordance with Texas Government Code §531.012 and is subject to §351.801 of this subchapter (relating to Authority and General Provisions).

(b) Purpose.

(1) The SMMCAC advises the Executive Commissioner and the Texas Health and Human Services Commission (HHSC) on the statewide operation of Medicaid managed care, including program design and benefits, systemic concerns from consumers and providers, efficiency and quality of services, contract requirements, provider network adequacy, trends in claims processing, and other issues as requested by the Executive Commissioner.

(2) The SMMCAC assists HHSC with Medicaid managed care issues.

(3) The SMMCAC disseminates Medicaid managed care best practice information as appropriate.

(c) Tasks. The SMMCAC makes recommendations to HHSC and performs other tasks consistent with its purpose.

(d) Reporting requirements.

(1) Report to the Executive Commissioner. By December 31st of each year, the SMMCAC files a written report with the Executive Commissioner covering the meetings and activities in the immediately preceding fiscal year. The report:

(A) lists the meeting dates;

(B) provides the members' attendance records;

(C) briefly describes actions taken by the committee;

(D) describes how the committee has accomplished its tasks;

(E) summarizes the status of any recommendations that the SMMCAC made to HHSC;

(F) describes activities the committee anticipates undertaking in the next fiscal year;

(G) describes recommended amendments to this section ; and

(H) describes the costs related to the committee, including the cost of HHSC staff time spent supporting the committee's activities and the source of funds used to support the committee's activities.

(2) Report to the Texas Legislature: By December 31st of each even-numbered year, the SMMCAC must file a written report with the Texas Legislature of any policy recommendations made to the Executive Commissioner.

(e) Open meetings. The SMMCAC complies with the requirement for open meetings under Texas Government Code Chapter 551.

(f) Membership. The SMMCAC is composed of no more than 24 members appointed by the Executive Commissioner. Except as may be necessary to stagger terms, the term of office of each member is three years. A member may apply to serve one additional term. In selecting members to serve on the committee, HHSC considers an applicant’s qualifications, background, and interest in serving. HHSC tries to choose committee members who represent the diversity of all Texans, including ethnicity, gender, and geographic location.

(1) Members are appointed for staggered terms so that terms of an equal or almost equal number of members expire on August 31st of each year. Regardless of the term limit, a member serves until his or her replacement has been appointed. This ensures sufficient, appropriate representation.

(2) If a vacancy occurs, a person is appointed to serve the unexpired portion of that term.

(3) The SMMCAC consists of representatives of the following categories:

(A) ten people enrolled in Medicaid managed care or their family members, legally authorized representatives, or advocates, appointed from one or more of the following subcategories:

(i) people who are low-income or consumer advocates representing those people;

(ii) people age 21 or older with intellectual, developmental and/or physical disabilities, or consumer advocates representing those people;

(iii) parents or legally authorized representatives of children ;

(iv) advocates for children with special health care needs;

(v) people who are 65 years of age or older or their family members or legally authorized representatives, or consumer advocates representing those people;

(vi) people who are dually enrolled in Medicaid and Medicare or their family members or legally authorized representatives, or consumer advocates representing those people;

(vii) people using mental health services or their family members or legally authorized representatives; or

(viii) people using non-emergency medical transportation services or their family members or legally authorized representatives;

(B) ten providers contracted with Texas Medicaid managed care organizations, appointed from one or more of the following subcategories:

(i) rural providers;

(ii) hospitals;

(iii) primary care providers;

(iv) pediatric health care providers;

(v) dentists;

(vi) community-based organizations either:

(I) serving children enrolled in Medicaid who are low-income and their families;

(II) serving people age 65 or older and people with disabilities; or

(III) engaged in perinatal services and outreach;

(vii) obstetrical care providers;

(viii) providers serving people dually enrolled in Medicaid and Medicare;

(ix) providers serving people who are 21 years of age or older and have a disability;

(x) non-physician mental health providers; or

(xi) long-term services and supports providers, including nursing facility providers and direct service workers; and

(C) four managed care organizations participating in Texas Medicaid, including both national and community-based plans, which includes for the purpose of this section, dental maintenance organizations.

(g) Officers. The SMMCAC selects a chair and vice chair of the committee from its members.

(1) The chair serves until December 1st of each even-numbered year. The vice chair serves until December 1st of each odd-numbered year.

(2) A member serves no more than two consecutive terms as chair or vice chair. A chair or vice chair may not serve beyond their membership term.

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(h) Required Training. Each member must complete all training HHSC will provide on relevant statutes and rules, including:

(1) this section;

(2) §351.801 of this subchapter;

(3) Texas Government Code §531.012; and

(4) Texas Government Code Chapters 551, 552, and 2110.

(i) Date of abolition. The SMMCAC is abolished, and this section expires, on December 31st, 2024.