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# **SB 1207 Independent Review Organization (Status Update)**

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**Managed Care Compliance & Operations**

# Background

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- Required by Senate Bill (SB) 1207, 86th Legislative Session

<https://capitol.texas.gov/tlodocs/86R/billtext/html/SB01207F.htm>

- The commission shall contract with an independent review organization (IRO) to conduct external medical reviews.



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# SB 1207 IRO Scope

**Table 1 Scope of Programs Offering External Medical Reviews Scope**

Phase 1 Applicable Programs	Phase 2 Applicable Programs <sup>2</sup>
<ul style="list-style-type: none"> <li>• STAR</li> <li>• STAR+PLUS (includes HCBS services)</li> <li>• STAR Health</li> <li>• STAR Kids (includes MDCP services<sup>1</sup>)</li> <li>• Dental</li> </ul>	<ul style="list-style-type: none"> <li>• Nursing Facility Level of Care<sup>4</sup> <ul style="list-style-type: none"> <li>○ STAR+PLUS Home and Community Based Services (HCBS)</li> <li>○ Medically Dependent Children Program (MDCP)<sup>1</sup></li> </ul> </li> <li>• ICF/IID Level of Care<sup>4</sup> <ul style="list-style-type: none"> <li>○ Home and Community-based Services (HCS)<sup>3</sup></li> <li>○ Texas Home Living (TxHmL)<sup>3</sup></li> <li>○ Community Living and Support Services (CLASS)<sup>3</sup></li> <li>○ Deaf Blind with Multiple Disabilities (DBMD)<sup>3</sup></li> </ul> </li> </ul>

**Notes:**

- 1) MDCP program is minimally required by statute per HHSC Legal Policy
- 2) HHSC determinations for which an IRO may not overturn based on 42 CFR §431.10
- 3) 1915(c) waivers, where CLASS, DBMD, HCS, and TxHmL are referred to as IDD waivers
- 4) Nursing Facility Level of Care has a medical necessity determination, ICF IID Level of Care has a functional eligibility determination.



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# HHSC Open Enrollment IRO Contracting

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- HHSC contracting with an IRO via open enrollment
  - Non-competitive
  - HHSC must contract with any qualified IRO applicant
- HHSC received responses to the IRO open enrollment from two qualified IROs at present.
  - Open enrollment through August 31, 2023.



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# Dual Implementation: SB 1207 IRO and Member Notice Requirements

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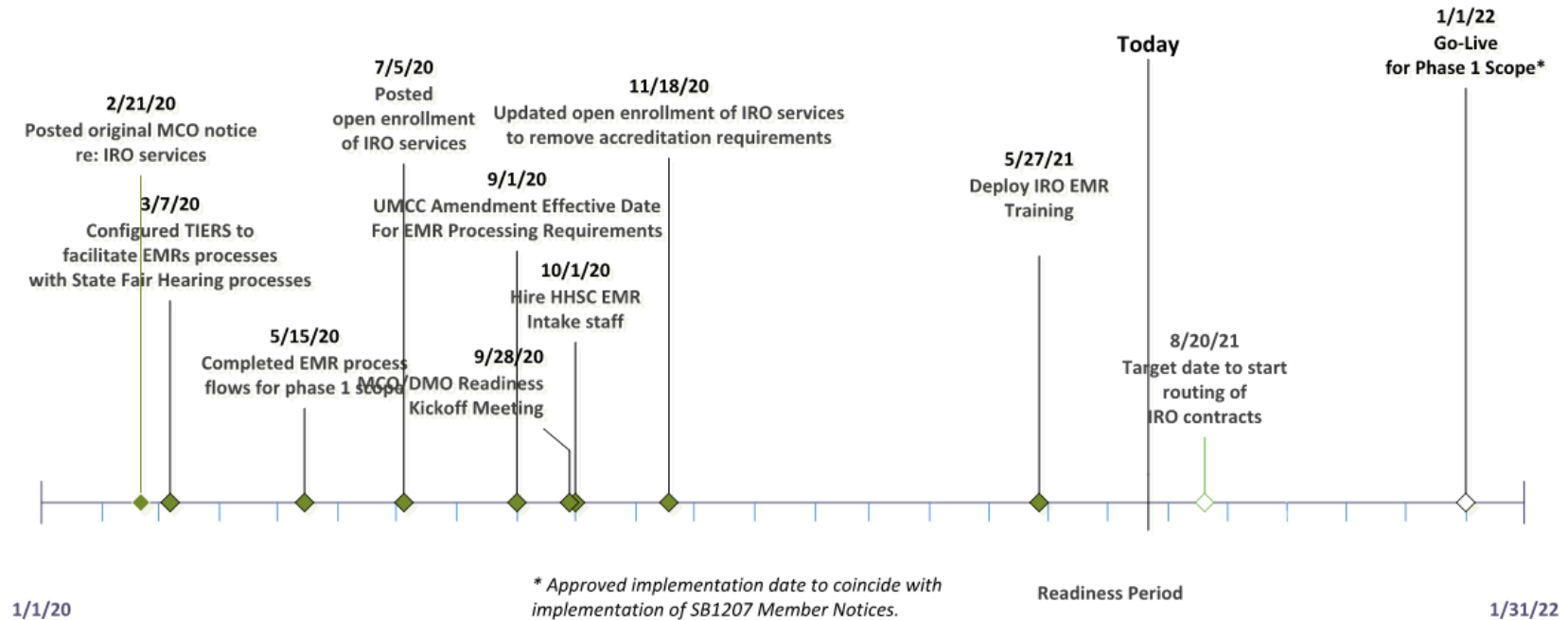
- To implement an EMR process that Members may request upon receipt of an MCO medical necessity denial.
  - IRO contractor conducts EMR.
- To ensure MCOs provide Member notice on EMR process and availability.
  - HHSC amending the Uniform Managed Care Manual to comply with requirement.
- The implementation date of January 1, 2022 allows for both initiatives to be implemented in tandem.



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# SB 1207 IRO Timeline Phase 1

## SB 1207 Independent Review Organization Implementation Timeline Phase 1



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# Thank you

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## Questions?