



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 10, 2023

The Honorable Matt Krause  
Texas House of Representatives  
Post Office Box 2910  
Austin, Texas 78768-2910

**Via E-Mail**

Re: Request for Opinion RQ-0420-KP

Dear Representative Krause:

Government Code subsection 402.042(a)(7) authorizes a “committee of a house of the Legislature” to request an Attorney General opinion. This office has interpreted this provision as authorizing the chair of a legislative committee to request an opinion. In your previous role as Chair of the House Committee on General Investigating, you requested an Attorney General opinion concerning the meaning of specialty provider and other terms for purposes of implementing Senate Bill 1207 from the 86th Legislature. That request is attached.

Section 402.045 of the Government Code prohibits this office from issuing a written opinion to a person other than an authorized requestor. Construing that provision, the longstanding policy of this office has been to refrain from issuing an opinion to a requestor who, although authorized when the opinion request was made, is not authorized when the opinion is issued. You submitted this request as the Chair of a committee of the Legislature. As you are no longer Chair of the House Committee on General Investigating, we are closing the request file without issuance.

Please contact us if you have any questions.

Sincerely,

Charlotte Harper  
Deputy Chair, Opinion Committee

CMH/som

Attachment: Request No. 0420-KP

cc: The Honorable Charles Perry, Texas State Senate  
The Honorable Jeff Leach, Texas House of Representatives  
The Honorable Tan Parker, Texas House of Representatives  
Ms. Karen Ray, Chief Counsel, Texas Department of Health and Human Services  
Mr. Jonathan Miles, General Counsel, Texas Department of Health and Human Services  
Medical Care Advisory Committee, Texas Department of Health and Human Services  
Star Kids Managed Care Advisory Committee, Texas Department of Health and Human Services  
State Medicaid Managed Care Advisory Committee, Texas Department of Health and Human Services  
Mr. Kent Sullivan, Commissioner of Insurance, Texas Department of Insurance  
Mr. James Person, General Counsel, Texas Department of Insurance  
Ms. Hannah Mehta, Executive Director, Protect Texas Fragile Kids  
Ms. Laura J. Warren, Executive Director, Texas Parent to Parent  
Ms. Linda Litzinger, Public Policy Specialist, Texas Parent to Parent  
Ms. Tricia Hall, Executive Director, Texas Pediatric Society  
Ms. Jamie Dudensing, Chief Executive Officer, Texas Association of Health Plans  
Mr. Andrew Weber, Partner, Texas Association of Health Plans  
Mr. Garth Corbett, Senior Litigation Attorney, Disability Rights Texas  
Ms. Maureen O'Connell, Counsel, Disability Rights Texas  
Mr. David Chandler, Senior Director of Payer Relations, American Association for Homecare  
Ms. Victoria Peterson, President, Texas Medical Equipment Providers Association  
Ms. Lauryn T. Estrella, Executive Director, Texas Medical Equipment Providers Association  
Ms. Apriél R. Powell Martin, Associate General Counsel, UnitedHealthcare  
Ms. Kay Ghahremani, President and CEO, Texas Association of Community Health Plans  
Mr. Scott A. Keller, Counsel, Superior Healthplan  
Ms. Adrienne Trigg, Government & Payer Relationship Manager, Apple Homecare Medical Supply  
Ms. Fatima Rani Yedanapalli, Co-President, Loving Hearts for All  
Ms. Mona Asthana, Co-President, Loving Hearts for All  
Mr. Nick Kalogeras, Director of Payer & Government Relations, Pediatric Home Service  
Ms. Amy Cresap, General Counsel Division, Office of the Governor

TEXAS HOUSE *of* REPRESENTATIVES

**RECEIVED**

By Opinion Committee at 3:47 pm, Aug 02, 2021



**RQ-0420-KP**

**FILE# ML-48983-21**

**I.D.# 48983**

**COMMITTEE ON GENERAL INVESTIGATING**

*Chair Matt Krause • Vice Chair Victoria Neave*

July 30, 2021

**Via Email**

Office of the Attorney General  
c/o Opinions Division  
P.O. Box 12548  
Austin, Texas 78711-2548  
Email: [opinion.committee@oag.texas.gov](mailto:opinion.committee@oag.texas.gov)

Dear General Paxton,

During the 86th Legislative Session a bipartisan coalition of legislators passed Senate Bill 1207 to help children in the Medically Dependent Child Program (MDCP) in Texas. Unfortunately there have been issues with the implementation of portions of SB1207 and therefore I request an opinion on the following topics:

1. Specialty Provider definition; and
2. Continuity of Care with Out of Network Providers/Coordination of Benefits definition

If you or your team has any questions or if there is anything my office can do, please reach out to my Chief of Staff, Shane Birdwell, at [shane.birdwell@house.texas.gov](mailto:shane.birdwell@house.texas.gov) or (512) 463-0562.

Sincerely,

A handwritten signature in black ink that reads "Matt Krause".

Chairman Krause  
General Investigating

Capitol Office: E2.170 • P.O. Box 2910 • Austin, Texas 78768-2910 • (512) 463-0780

Members: Stephanie Klick, Leo Pacheco, Reggie Smith

Darren Keyes, Committee Clerk & General Counsel

[Darren.Keyes\\_hc@house.texas.gov](mailto:Darren.Keyes_hc@house.texas.gov)