

By: Pitts

H.B. No. 10

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to making emergency supplemental appropriations and  
3 providing direction and transfer authority regarding certain  
4 appropriations.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID  
7 ACUTE CARE AND CERTAIN TRANSFERS. (a) In addition to amounts  
8 previously appropriated for the state fiscal biennium ending August  
9 31, 2013, the amount of \$3,163,515,906 is appropriated out of the  
10 general revenue fund for the state fiscal year ending August 31,  
11 2013, to the Health and Human Services Commission under Goal B,  
12 Medicaid, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd  
13 Legislature, Regular Session, 2011 (the General Appropriations  
14 Act), for the purpose of providing acute care services under the  
15 Medicaid program.

16 (b) In addition to amounts previously appropriated for the  
17 state fiscal biennium ending August 31, 2013, the amount of  
18 \$265,316,377 is appropriated out of general revenue account number  
19 5040, Tobacco Settlement, for the state fiscal year ending August  
20 31, 2013, to the Health and Human Services Commission under Goal B,  
21 Medicaid, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd  
22 Legislature, Regular Session, 2011 (the General Appropriations  
23 Act), for the purpose of providing acute care services under the  
24 Medicaid program.

1 (c) Notwithstanding any limitation on transfer among items  
2 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts  
3 of the 82nd Legislature, Regular Session, 2011 (the General  
4 Appropriations Act), the Health and Human Services Commission may  
5 transfer for the state fiscal year ending August 31, 2013, any  
6 amount appropriated under Subsection (a) or (b) of this section  
7 among the following strategies specified in Chapter 1355 (H.B. 1),  
8 Acts of the 82nd Legislature, Regular Session, 2011 (the General  
9 Appropriations Act), in the appropriations to the commission:

- 10 (1) C.1.1, CHIP;
- 11 (2) C.1.4, CHIP Perinatal Services; and
- 12 (3) C.1.5, CHIP Vendor Drug Program.

13 (d) Notwithstanding any limitation on transfer among items  
14 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts  
15 of the 82nd Legislature, Regular Session, 2011 (the General  
16 Appropriations Act), the Health and Human Services Commission may  
17 transfer for the state fiscal year ending August 31, 2013, any  
18 amount appropriated under Subsection (a) of this section to the  
19 Department of Aging and Disability Services and among the following  
20 strategies specified in that Act in the appropriations to the  
21 department:

- 22 (1) A.2.1, Primary Home Care;
- 23 (2) A.2.2, Community Attendant Services;
- 24 (3) A.2.3, Day Activity and Health Services (DAHS);
- 25 (4) A.3.1, Community-based Alternatives (CBA);
- 26 (5) A.3.2, Home and Community-based Services (HCS);
- 27 (6) A.3.3, Community Living Assistance and Support

- 1 Services (CLASS);
- 2           (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
- 3           (8) A.3.5, Medically Dependent Children Program
- 4 (MDCP);
- 5           (9) A.3.7, Texas Home Living Waiver;
- 6           (10) A.5.1, Program of All-Inclusive Care for the
- 7 Elderly (PACE);
- 8           (11) A.6.1, Nursing Facility Payments;
- 9           (12) A.6.2, Medicare Skilled Nursing Facility;
- 10           (13) A.6.3, Hospice;
- 11           (14) A.6.4, Promoting Independence by Providing
- 12 Community-based Services;
- 13           (15) A.7.1, Intermediate Care Facilities - for
- 14 Persons w/ MR (ICF/MR); and
- 15           (16) A.8.1, State Supported Living Centers.
- 16       (e) An amount transferred to a strategy under Subsection (c)
- 17 or (d) of this section may not exceed the sum of the amounts
- 18 transferred from that item of appropriation for cash flow purposes
- 19 made under the following provisions in Chapter 1355 (H.B. 1), Acts
- 20 of the 82nd Legislature, Regular Session, 2011 (the General
- 21 Appropriations Act):
- 22           (1) Section 10 of Special Provisions Relating to All
- 23 Health and Human Services Agencies;
- 24           (2) Rider 12 to the bill pattern of the appropriations
- 25 to the Health and Human Services Commission; and
- 26           (3) Rider 19 to the bill pattern of the appropriations
- 27 to the Health and Human Services Commission.

1           SECTION 2. HEALTH AND HUMAN SERVICES COMMISSION: CHIP. In  
2 addition to amounts previously appropriated for the state fiscal  
3 biennium ending August 31, 2013, the amount of \$74,683,623 is  
4 appropriated for the state fiscal year ending August 31, 2013, out  
5 of general revenue account number 5040, Tobacco Settlement, to the  
6 Health and Human Services Commission under Goal C, CHIP Services,  
7 as listed in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature,  
8 Regular Session, 2011 (the General Appropriations Act), for the  
9 purpose of providing services under the CHIP program.

10           SECTION 3. DEPARTMENT OF AGING AND DISABILITY SERVICES:  
11 MEDICAID LONG-TERM CARE AND CERTAIN TRANSFERS. (a) In addition to  
12 amounts previously appropriated for the state fiscal biennium  
13 ending August 31, 2013, the amount of \$1,019,065,242 is  
14 appropriated out of the general revenue fund for the state fiscal  
15 year ending August 31, 2013, to the Department of Aging and  
16 Disability Services under Strategy A.6.1, Nursing Facility  
17 Payments, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd  
18 Legislature, Regular Session, 2011 (the General Appropriations  
19 Act), for the purpose of providing long-term care services under  
20 the Medicaid program.

21           (b) Notwithstanding any limitation on transfer among items  
22 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts  
23 of the 82nd Legislature, Regular Session, 2011 (the General  
24 Appropriations Act), the Department of Aging and Disability  
25 Services for the state fiscal year ending August 31, 2013, may  
26 allocate the additional amount appropriated under Subsection (a) of  
27 this section among the following strategies specified in Chapter

1 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011  
2 (the General Appropriations Act), in the appropriations to the  
3 department:

- 4 (1) A.2.1, Primary Home Care;
- 5 (2) A.2.2, Community Attendant Services;
- 6 (3) A.2.3, Day Activity and Health Services (DAHS);
- 7 (4) A.3.1, Community-based Alternatives (CBA);
- 8 (5) A.3.2, Home and Community-based Services (HCS);
- 9 (6) A.3.3, Community Living Assistance and Support  
10 Services (CLASS);
- 11 (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
- 12 (8) A.3.5, Medically Dependent Children Program  
13 (MDCP);
- 14 (9) A.3.7, Texas Home Living Waiver;
- 15 (10) A.5.1, Program of All-Inclusive Care for the  
16 Elderly (PACE);
- 17 (11) A.6.1, Nursing Facility Payments;
- 18 (12) A.6.2, Medicare Skilled Nursing Facility;
- 19 (13) A.6.3, Hospice;
- 20 (14) A.6.4, Promoting Independence by Providing  
21 Community-based Services;
- 22 (15) A.7.1, Intermediate Care Facilities - for Persons  
23 w/ MR (ICF/MR); and
- 24 (16) A.8.1, State Supported Living Centers.

25 (c) Any amount allocated to the strategy specified by  
26 Subsection (b)(16) of this section may not exceed the sum of the  
27 amounts transferred from that item of appropriation for cash flow

1 purposes made under the following provisions in Chapter 1355 (H.B.  
2 1), Acts of the 82nd Legislature, Regular Session, 2011 (the  
3 General Appropriations Act):

4 (1) Section 10 of Special Provisions Relating to All  
5 Health and Human Services Agencies;

6 (2) Rider 19 to the bill pattern of the appropriations  
7 to the Health and Human Services Commission; and

8 (3) Rider 9 to the bill pattern of the appropriations  
9 to the Department of Aging and Disability Services.

10 SECTION 4. TEXAS EDUCATION AGENCY: FOUNDATION SCHOOL  
11 PROGRAM. (a) In addition to amounts previously appropriated for  
12 the state fiscal biennium ending August 31, 2013, the amount of  
13 \$317,000,000 is appropriated out of general revenue account number  
14 0193, Foundation School, for the state fiscal year ending August  
15 31, 2013, to the Texas Education Agency under Strategy A.1.1, FSP -  
16 Equalized Operations, as listed in Chapter 1355 (H.B. 1), Acts of  
17 the 82nd Legislature, Regular Session, 2011 (the General  
18 Appropriations Act), for the purpose of providing for the  
19 Foundation School Program.

20 (b) In addition to amounts previously appropriated for the  
21 state fiscal biennium ending August 31, 2013, the amount of  
22 \$313,000,000 is appropriated for the state fiscal year ending  
23 August 31, 2013, out of Fund 0666, Appropriated Receipts (revenue  
24 from school districts subject to recapture), to the Texas Education  
25 Agency under Strategy A.1.1, FSP - Equalized Operations, as listed  
26 in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular  
27 Session, 2011 (the General Appropriations Act), for the purpose of

1 providing for the Foundation School Program.

2 (c) Notwithstanding Rider 3 to the bill pattern of the  
3 appropriations to the Texas Education Agency in Chapter 1355 (H.B.  
4 1), Acts of the 82nd Legislature, Regular Session, 2011 (the  
5 General Appropriations Act), the sum certain appropriation to the  
6 Foundation School Program for the state fiscal year ending August  
7 31, 2013, is increased by the amount of \$630,000,000.

8 SECTION 5. TEXAS PUBLIC FINANCE AUTHORITY: APPROPRIATION  
9 REDUCTION. The amounts of the unencumbered appropriations made  
10 from the general revenue fund for the state fiscal biennium ending  
11 August 31, 2013, to the Texas Public Finance Authority by Chapter  
12 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011  
13 (the General Appropriations Act), under Strategy A.2.2, Bond Debt  
14 Service Payments, are reduced by \$3,000,000.

15 SECTION 6. EFFECTIVE DATE. This Act takes effect  
16 immediately as provided for a general appropriations act under  
17 Section 39, Article III, Texas Constitution.