

1-1 By: Pitts, Giddings (Senate Sponsor - Williams) H.B. No. 10
 1-2 (In the Senate - Received from the House February 25, 2013;
 1-3 February 25, 2013, read first time and referred to Committee on
 1-4 Finance; February 27, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 14, Nays 0;
 1-6 February 27, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17			X	
1-18	X			
1-19	X			
1-20	X			
1-21	X			
1-22	X			
1-23	X			

1-24 COMMITTEE SUBSTITUTE FOR H.B. No. 10 By: Williams

1-25 A BILL TO BE ENTITLED
 1-26 AN ACT

1-27 relating to making emergency supplemental appropriations and
 1-28 providing direction and transfer authority regarding certain
 1-29 appropriations.

1-30 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-31 SECTION 1. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID
 1-32 ACUTE CARE AND CERTAIN TRANSFERS. (a) In addition to amounts
 1-33 previously appropriated for the state fiscal biennium ending August
 1-34 31, 2013, the amount of \$3,163,515,906 is appropriated out of the
 1-35 general revenue fund for the state fiscal year ending August 31,
 1-36 2013, to the Health and Human Services Commission under Goal B,
 1-37 Medicaid, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd
 1-38 Legislature, Regular Session, 2011 (the General Appropriations
 1-39 Act), for the purpose of providing acute care services under the
 1-40 Medicaid program.

1-41 (b) In addition to amounts previously appropriated for the
 1-42 state fiscal biennium ending August 31, 2013, the amount of
 1-43 \$265,316,377 is appropriated out of general revenue account number
 1-44 5040, Tobacco Settlement, for the state fiscal year ending August
 1-45 31, 2013, to the Health and Human Services Commission under Goal B,
 1-46 Medicaid, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd
 1-47 Legislature, Regular Session, 2011 (the General Appropriations
 1-48 Act), for the purpose of providing acute care services under the
 1-49 Medicaid program.

1-50 (c) In addition to amounts previously appropriated for the
 1-51 state fiscal biennium ending August 31, 2013, the amount of
 1-52 \$4,977,267,717 is appropriated out of federal funds for the state
 1-53 fiscal year ending August 31, 2013, to the Health and Human Services
 1-54 Commission under Goal B, Medicaid, as listed in Chapter 1355 (H.B.
 1-55 1), Acts of the 82nd Legislature, Regular Session, 2011 (the
 1-56 General Appropriations Act), for the purpose of providing acute
 1-57 care services under the Medicaid program.

1-58 (d) Notwithstanding any limitation on transfer among items
 1-59 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts
 1-60 of the 82nd Legislature, Regular Session, 2011 (the General

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

- 2-8 (1) C.1.1, CHIP;
- 2-9 (2) C.1.4, CHIP Perinatal Services; and
- 2-10 (3) C.1.5, CHIP Vendor Drug Program.

2-11 (e) Notwithstanding any limitation on transfer among items
2-12 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts
2-13 of the 82nd Legislature, Regular Session, 2011 (the General
2-14 Appropriations Act), the Health and Human Services Commission may
2-15 transfer for the state fiscal year ending August 31, 2013, any
2-16 amount appropriated under Subsection (a) or (c) of this section to
2-17 the Department of Aging and Disability Services and among the
2-18 following strategies specified in that Act in the appropriations to
2-19 the department:

- 2-20 (1) A.2.1, Primary Home Care;
- 2-21 (2) A.2.2, Community Attendant Services;
- 2-22 (3) A.2.3, Day Activity and Health Services (DAHS);
- 2-23 (4) A.3.1, Community-based Alternatives (CBA);
- 2-24 (5) A.3.2, Home and Community-based Services (HCS);
- 2-25 (6) A.3.3, Community Living Assistance and Support
2-26 Services (CLASS);
- 2-27 (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
- 2-28 (8) A.3.5, Medically Dependent Children Program
2-29 (MDCP);
- 2-30 (9) A.3.7, Texas Home Living Waiver;
- 2-31 (10) A.5.1, Program of All-Inclusive Care for the
2-32 Elderly (PACE);
- 2-33 (11) A.6.1, Nursing Facility Payments;
- 2-34 (12) A.6.2, Medicare Skilled Nursing Facility;
- 2-35 (13) A.6.3, Hospice;
- 2-36 (14) A.6.4, Promoting Independence by Providing
2-37 Community-based Services;
- 2-38 (15) A.7.1, Intermediate Care Facilities - for
2-39 Persons w/ MR (ICF/MR); and
- 2-40 (16) A.8.1, State Supported Living Centers.

2-41 (f) An amount transferred to a strategy under Subsection (d)
2-42 or (e) of this section may not exceed the sum of the amounts
2-43 transferred from that item of appropriation for cash flow purposes
2-44 made under the following provisions in Chapter 1355 (H.B. 1), Acts
2-45 of the 82nd Legislature, Regular Session, 2011 (the General
2-46 Appropriations Act):

- 2-47 (1) Section 10 of Special Provisions Relating to All
2-48 Health and Human Services Agencies;
- 2-49 (2) Rider 12 to the bill pattern of the appropriations
2-50 to the Health and Human Services Commission; and
- 2-51 (3) Rider 19 to the bill pattern of the appropriations
2-52 to the Health and Human Services Commission.

2-53 SECTION 2. HEALTH AND HUMAN SERVICES COMMISSION: CHIP. (a)
2-54 In addition to amounts previously appropriated for the state fiscal
2-55 biennium ending August 31, 2013, the amount of \$74,683,623 is
2-56 appropriated for the state fiscal year ending August 31, 2013, out
2-57 of general revenue account number 5040, Tobacco Settlement, to the
2-58 Health and Human Services Commission under Goal C, CHIP Services,
2-59 as listed in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature,
2-60 Regular Session, 2011 (the General Appropriations Act), for the
2-61 purpose of providing services under the CHIP program.

2-62 (b) In addition to amounts previously appropriated for the
2-63 state fiscal biennium ending August 31, 2013, the amount of
2-64 \$187,456,156 is appropriated for the state fiscal year ending
2-65 August 31, 2013, out of federal funds to the Health and Human
2-66 Services Commission under Goal C, CHIP Services, as listed in
2-67 Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular
2-68 Session, 2011 (the General Appropriations Act), for the purpose of
2-69 providing services under the CHIP program.

3-1 SECTION 3. DEPARTMENT OF AGING AND DISABILITY SERVICES:
 3-2 MEDICAID LONG-TERM CARE AND CERTAIN TRANSFERS. (a) In addition to
 3-3 amounts previously appropriated for the state fiscal biennium
 3-4 ending August 31, 2013, the amount of \$1,019,065,242 is
 3-5 appropriated out of the general revenue fund for the state fiscal
 3-6 year ending August 31, 2013, to the Department of Aging and
 3-7 Disability Services under Strategy A.6.1, Nursing Facility
 3-8 Payments, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd
 3-9 Legislature, Regular Session, 2011 (the General Appropriations
 3-10 Act), for the purpose of providing long-term care services under
 3-11 the Medicaid program.

3-12 (b) In addition to amounts previously appropriated for the
 3-13 state fiscal biennium ending August 31, 2013, the amount of
 3-14 \$1,484,780,561 is appropriated out of federal funds for the state
 3-15 fiscal year ending August 31, 2013, to the Department of Aging and
 3-16 Disability Services under Strategy A.6.1, Nursing Facility
 3-17 Payments, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd
 3-18 Legislature, Regular Session, 2011 (the General Appropriations
 3-19 Act), for the purpose of providing long-term care services under
 3-20 the Medicaid program.

3-21 (c) Notwithstanding any limitation on transfer among items
 3-22 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts
 3-23 of the 82nd Legislature, Regular Session, 2011 (the General
 3-24 Appropriations Act), the Department of Aging and Disability
 3-25 Services for the state fiscal year ending August 31, 2013, may
 3-26 allocate the additional amount appropriated under Subsections (a)
 3-27 and (b) of this section among the following strategies specified in
 3-28 Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular
 3-29 Session, 2011 (the General Appropriations Act), in the
 3-30 appropriations to the department:

- 3-31 (1) A.2.1, Primary Home Care;
- 3-32 (2) A.2.2, Community Attendant Services;
- 3-33 (3) A.2.3, Day Activity and Health Services (DAHS);
- 3-34 (4) A.3.1, Community-based Alternatives (CBA);
- 3-35 (5) A.3.2, Home and Community-based Services (HCS);
- 3-36 (6) A.3.3, Community Living Assistance and Support
 3-37 Services (CLASS);
- 3-38 (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
- 3-39 (8) A.3.5, Medically Dependent Children Program
 3-40 (MDCP);
- 3-41 (9) A.3.7, Texas Home Living Waiver;
- 3-42 (10) A.5.1, Program of All-Inclusive Care for the
 3-43 Elderly (PACE);
- 3-44 (11) A.6.1, Nursing Facility Payments;
- 3-45 (12) A.6.2, Medicare Skilled Nursing Facility;
- 3-46 (13) A.6.3, Hospice;
- 3-47 (14) A.6.4, Promoting Independence by Providing
 3-48 Community-based Services;
- 3-49 (15) A.7.1, Intermediate Care Facilities - for Persons
 3-50 w/ MR (ICF/MR); and
- 3-51 (16) A.8.1, State Supported Living Centers.

3-52 SECTION 4. TEXAS EDUCATION AGENCY: FOUNDATION SCHOOL
 3-53 PROGRAM. (a) In addition to amounts previously appropriated for
 3-54 the state fiscal biennium ending August 31, 2013, the amount of
 3-55 \$317,000,000 is appropriated out of general revenue account number
 3-56 0193, Foundation School, for the state fiscal year ending August
 3-57 31, 2013, to the Texas Education Agency under Strategy A.1.1, FSP -
 3-58 Equalized Operations, as listed in Chapter 1355 (H.B. 1), Acts of
 3-59 the 82nd Legislature, Regular Session, 2011 (the General
 3-60 Appropriations Act), for the purpose of providing for the
 3-61 Foundation School Program.

3-62 (b) In addition to amounts previously appropriated for the
 3-63 state fiscal biennium ending August 31, 2013, the amount of
 3-64 \$313,000,000 is appropriated for the state fiscal year ending
 3-65 August 31, 2013, out of Fund 0666, Appropriated Receipts (revenue
 3-66 from school districts subject to recapture), to the Texas Education
 3-67 Agency under Strategy A.1.1, FSP - Equalized Operations, as listed
 3-68 in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular
 3-69 Session, 2011 (the General Appropriations Act), for the purpose of

4-1 providing for the Foundation School Program.

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

4-8 SECTION 5. TEXAS EDUCATION AGENCY: CERTAIN APPROPRIATIONS.
4-9 Contingent on the enactment and becoming law of H.B. 1026 or similar
4-10 legislation of the 83rd Legislature, Regular Session, 2013,
4-11 relating to the established schedule of payments from the
4-12 foundation school fund of the yearly entitlement of certain school
4-13 districts:

4-14 (1) there is appropriated to the Texas Education
4-15 Agency from general revenue account number 0193, Foundation School,
4-16 \$1,750,000,000 for the state fiscal year ending August 31, 2013,
4-17 for payment of the installment to be paid on or before August 30,
4-18 2013, as provided by Sections 42.259(c-1) and (d-1), Education
4-19 Code, as added by that legislation; and

4-20 (2) notwithstanding Rider 3 to the bill pattern of the
4-21 appropriations to the Texas Education Agency in Chapter 1355 (H.B.
4-22 1), Acts of the 82nd Legislature, Regular Session, 2011 (the
4-23 General Appropriations Act), the sum certain appropriation to the
4-24 Foundation School Program for the state fiscal year ending August
4-25 31, 2013, is increased by the amount of \$1,750,000,000 in addition
4-26 to the amount by which that sum certain appropriation is increased
4-27 in accordance with Section 4(c) of this Act.

4-28 SECTION 6. TEXAS PUBLIC FINANCE AUTHORITY: APPROPRIATION
4-29 REDUCTION. The amounts of the unencumbered appropriations made
4-30 from the general revenue fund for the state fiscal biennium ending
4-31 August 31, 2013, to the Texas Public Finance Authority by Chapter
4-32 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011
4-33 (the General Appropriations Act), under Strategy A.2.2, Bond Debt
4-34 Service Payments, are reduced by \$3,000,000.

4-35 SECTION 7. EFFECTIVE DATE. This Act takes effect
4-36 immediately as provided for a general appropriations act under
4-37 Section 39, Article III, Texas Constitution.

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