

House Bill 10
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

(c) Notwithstanding any limitation on transfer among items of appropriation that is prescribed by Chapter 1355 (H.B. 1),

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

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

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

(d) Notwithstanding any limitation on transfer among items of appropriation that is prescribed by Chapter 1355 (H.B. 1),

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

- (1) C.1.1, CHIP;
- (2) C.1.4, CHIP Perinatal Services; and
- (3) C.1.5, CHIP Vendor Drug Program.
- (d) Notwithstanding any limitation on transfer among items of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), the Health and Human Services Commission may transfer for the state fiscal year ending August 31, 2013, any amount appropriated under Subsection (a) of this section to the Department of Aging and Disability Services and among the following strategies specified in that Act in the appropriations to the department:
 - (1) A.2.1, Primary Home Care;
 - (2) A.2.2, Community Attendant Services;
 - (3) A.2.3, Day Activity and Health Services (DAHS);
 - (4) A.3.1, Community-based Alternatives (CBA);
 - (5) A.3.2, Home and Community-based Services (HCS);
 - (6) A.3.3, Community Living Assistance and Support Services (CLASS);
 - (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
 - (8) A.3.5, Medically Dependent Children Program (MDCP);
 - (9) A.3.7, Texas Home Living Waiver;
 - (10) A.5.1, Program of All-Inclusive Care for the Elderly (PACE);

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

- (1) C.1.1, CHIP;
- (2) C.1.4, CHIP Perinatal Services; and
- (3) C.1.5, CHIP Vendor Drug Program.
- (e) Notwithstanding any limitation on transfer among items of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), the Health and Human Services Commission may transfer for the state fiscal year ending August 31, 2013, any amount appropriated under Subsection (a) or (c) of this section to the Department of Aging and Disability Services and among the following strategies specified in that Act in the appropriations to the department:
 - (1) A.2.1, Primary Home Care;
 - (2) A.2.2, Community Attendant Services;
 - (3) A.2.3, Day Activity and Health Services (DAHS);
 - (4) A.3.1, Community-based Alternatives (CBA);
 - (5) A.3.2, Home and Community-based Services (HCS);
 - (6) A.3.3, Community Living Assistance and Support Services (CLASS);
 - (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
 - (8) A.3.5, Medically Dependent Children Program (MDCP);
 - (9) A.3.7, Texas Home Living Waiver;
 - (10) A.5.1, Program of All-Inclusive Care for the Elderly (PACE);

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- (11) A.6.1, Nursing Facility Payments;
 - (12) A.6.2, Medicare Skilled Nursing Facility;
 - (13) A.6.3, Hospice;
 - (14) A.6.4, Promoting Independence by Providing Community-based Services;
 - (15) A.7.1, Intermediate Care Facilities - for Persons w/ MR (ICF/MR); and
 - (16) A.8.1, State Supported Living Centers.
- (e) An amount transferred to a strategy under Subsection (c) or (d) of this section may not exceed the sum of the amounts transferred from that item of appropriation for cash flow purposes made under the following provisions in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act):
- (1) Section 10 of Special Provisions Relating to All Health and Human Services Agencies;
 - (2) Rider 12 to the bill pattern of the appropriations to the Health and Human Services Commission; and
 - (3) Rider 19 to the bill pattern of the appropriations to the Health and Human Services Commission.

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

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- (11) A.6.1, Nursing Facility Payments;
 - (12) A.6.2, Medicare Skilled Nursing Facility;
 - (13) A.6.3, Hospice;
 - (14) A.6.4, Promoting Independence by Providing Community-based Services;
 - (15) A.7.1, Intermediate Care Facilities - for Persons w/ MR (ICF/MR); and
 - (16) A.8.1, State Supported Living Centers.
- (f) An amount transferred to a strategy under Subsection (d) or (e) of this section may not exceed the sum of the amounts transferred from that item of appropriation for cash flow purposes made under the following provisions in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act):
- (1) Section 10 of Special Provisions Relating to All Health and Human Services Agencies;
 - (2) Rider 12 to the bill pattern of the appropriations to the Health and Human Services Commission; and
 - (3) Rider 19 to the bill pattern of the appropriations to the Health and Human Services Commission.

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

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under the CHIP program.

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

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under the CHIP program.

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

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

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

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

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

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care services under the Medicaid program.

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

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

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

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

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

No equivalent provision.

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SECTION 4. Same as House version.

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SECTION 5. TEXAS EDUCATION AGENCY: CERTAIN APPROPRIATIONS. Contingent on the enactment and

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becoming law of H.B. 1026 or similar legislation of the 83rd Legislature, Regular Session, 2013, relating to the established schedule of payments from the foundation school fund of the yearly entitlement of certain school districts:

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

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

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

SECTION 6. Same as House version.

SECTION 6. EFFECTIVE DATE. This Act takes effect

SECTION 7. Same as House version.

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immediately as provided for a general appropriations act under Section 39, Article III, Texas Constitution.

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