

By: Menéndez

S.B. No. 102

A BILL TO BE ENTITLED

AN ACT

1
2 relating to reimbursement rates for Medicaid acute care therapy
3 services; making an appropriation.

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

5 SECTION 1. (a) In addition to other amounts appropriated to
6 the Health and Human Services Commission for the state fiscal
7 biennium ending August 31, 2019, \$112,020,886 is appropriated from
8 the economic stabilization fund and \$148,492,803 is appropriated
9 from federal funds to the Health and Human Services Commission for
10 that state fiscal biennium to:

11 (1) fully reverse the reductions made during the state
12 fiscal biennium ending August 31, 2017, to reimbursement rates for
13 Medicaid acute care therapy services that are not reversed in
14 accordance with Rider 218, S.B. 1, Acts of the 85th Legislature,
15 Regular Session, 2017 (the General Appropriations Act), to the bill
16 pattern of the appropriations to the commission; and

17 (2) provide funding to make unnecessary the
18 implementation during the state fiscal biennium ending August 31,
19 2019, of adopted reductions in reimbursement rates paid to therapy
20 assistants for the provision of Medicaid acute care therapy
21 services.

22 (b) It is the intent of the legislature that the Health and
23 Human Services Commission ensure that money appropriated by this
24 section is fully reflected in the reimbursement rates paid to

1 providers of Medicaid acute care therapy services in both the
2 Medicaid fee-for-service and managed care delivery models.

3 SECTION 2. Rider 218, S.B. 1, Acts of the 85th Legislature,
4 Regular Session, 2017 (the General Appropriations Act), to the bill
5 pattern of the appropriations to the Health and Human Services
6 Commission is amended to read as follows:

7 218. Adjustment of Therapy Rate Reductions. Funds
8 appropriated above in the strategies in Goal A, Medicaid Client
9 Services, include \$11,850,000 in General Revenue Funds and
10 \$15,593,261 in Federal Funds (\$27,443,261 in All Funds) for fiscal
11 year 2018 and \$12,555,500 in General Revenue Funds and \$16,834,045
12 in Federal Funds (\$29,389,045 in All Funds) for fiscal year 2019 to
13 restore approximately 25 percent of the reductions made to
14 reimbursement rates for acute care therapy services during the
15 2016-17 biennium. The Health and Human Services Commission is
16 directed to allocate the restorations among provider types and
17 procedure codes to preserve access to care for clients served under
18 Medicaid fee-for-service and managed care models. It is the intent
19 of the Legislature that HHSC shall ensure any funds restored
20 through this rider are fully reflected in reimbursement rates paid
21 to providers of acute care therapy services in both fee-for-service
22 and managed care models.

23 Additionally, funds appropriated above in Goal A, Medicaid
24 Client Services, include \$14,100,000 in General Revenue Funds and
25 \$18,554,006 in Federal Funds (\$32,654,006 in All Funds) for fiscal
26 year 2018 for the payment of reimbursements to [~~phase-in and delay~~
27 ~~the reduction of rates for~~] therapy assistants for the provision of

1 Medicaid acute care therapy services. [~~Appropriated amounts assume~~
2 ~~the reductions will not begin until December 1, 2017 and that rates~~
3 ~~will remain at 85 percent of the rate paid to a licensed therapist~~
4 ~~from that date until September 1, 2018. Appropriated amounts assume~~
5 ~~rates for therapy assistants will be reduced to 70 percent of the~~
6 ~~rate paid to a licensed therapist beginning September 1, 2018.~~]

7 SECTION 3. (a) Subject to Subsection (b) of this section:

8 (1) this Act takes effect immediately if it receives a
9 vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution; and

11 (2) if this Act does not receive the vote necessary for
12 immediate effect, this Act takes effect on the 91st day after the
13 last day of the legislative session.

14 (b) This Act takes effect only if it receives a vote of
15 two-thirds of the members present in each house of the legislature,
16 as provided by Section 49-g(m), Article III, Texas Constitution.