

CORRECTED

SENATE AMENDMENTS

2nd Printing

By: Raymond

H.B. No. 2590

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the amelioration and informal dispute resolution
3 processes for providers participating in certain Medicaid waiver
4 programs.

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

6 SECTION 1. Subchapter D, Chapter 161, Human Resources Code,
7 is amended by adding Sections 161.0891 and 161.0892 to read as
8 follows:

9 Sec. 161.0891. AMELIORATION PROCESS. (a) In lieu of
10 demanding payment of an administrative penalty assessed under
11 Section 161.089, the commission may, in accordance with this
12 section, allow the provider subject to the penalty to use, under the
13 supervision of the commission, any portion of the amount of the
14 penalty to ameliorate the violation or to improve services in the
15 waiver program in which the provider participates.

16 (b) The commission shall offer amelioration to a provider
17 under this section not later than the 10th day after the date the
18 provider receives from the commission a final notification of the
19 assessment of an administrative penalty that is sent to the
20 provider after an informal dispute resolution process but before an
21 administrative hearing.

22 (c) A provider to whom amelioration has been offered must
23 file a plan for amelioration not later than the 45th day after the
24 date the provider receives the offer of amelioration from the

1 commission. In submitting the plan, the provider must agree to
2 waive the provider's right to an administrative hearing if the
3 commission approves the plan.

4 (d) At a minimum, a plan for amelioration must:

5 (1) propose changes to the management or operation of
6 the waiver program in which the provider participates that will
7 improve services to or quality of care for clients in the program;

8 (2) identify, through measurable outcomes, the ways in
9 which and the extent to which the proposed changes will improve
10 services to or quality of care for clients in the waiver program;

11 (3) establish clear goals to be achieved through the
12 proposed changes;

13 (4) establish a timeline for implementing the proposed
14 changes; and

15 (5) identify specific actions necessary to implement
16 the proposed changes.

17 (e) The commission may require that an amelioration plan
18 propose changes that would result in conditions that exceed the
19 requirements of a law or rule relating to the waiver program in
20 which the provider participates.

21 (f) The commission shall approve or deny an amelioration
22 plan not later than the 45th day after the date the commission
23 receives the plan. On approval of a provider's plan, the commission
24 or the State Office of Administrative Hearings, as appropriate,
25 shall deny a pending request for a hearing submitted by the
26 provider.

27 (g) The commission may not offer amelioration to a provider:

- 1 (1) more than three times in a two-year period; or
- 2 (2) more than one time in a two-year period for the
- 3 same or similar violation.

4 Sec. 161.0892. INFORMAL DISPUTE RESOLUTION. (a) The
5 executive commissioner by rule shall establish an informal dispute
6 resolution process in accordance with this section. The process
7 must provide for adjudication by an appropriate disinterested
8 person of disputes relating to a proposed enforcement action or
9 related proceeding of the commission against a provider
10 participating in a waiver program described by Section 161.089.
11 The informal dispute resolution process must require:

12 (1) a provider participating in a waiver program
13 described by Section 161.089 to request informal dispute resolution
14 not later than the 10th calendar day after the date of notification
15 by the commission of the violation of a law or rule relating to the
16 program; and

17 (2) the commission to complete the process not later
18 than the 30th calendar day after the date of receipt of a request
19 from a provider for informal dispute resolution.

20 (b) As part of the informal dispute resolution process
21 established under this section, the commission shall contract with
22 an appropriate disinterested person who is a nonprofit organization
23 to adjudicate disputes between a provider participating in a
24 program described by Section 161.089 and the commission concerning
25 a statement of violations prepared by the commission. Section
26 2009.053, Government Code, does not apply to the selection of an
27 appropriate disinterested person under this subsection. The person

1 with whom the commission contracts shall adjudicate all disputes
2 described by this subsection.

3 (c) The executive commissioner shall adopt rules to
4 adjudicate claims in contested cases.

5 (d) The commission may not delegate its responsibility to
6 administer the informal dispute resolution process established by
7 this section to another state agency.

8 SECTION 2. Subchapter D, Chapter 161, Human Resources Code,
9 is amended by adding Sections 161.0881 and 161.0882 to read as
10 follows:

11 Sec. 161.0881. AMELIORATION PROCESS. (a) In lieu of
12 demanding payment of an administrative penalty assessed under
13 Section 161.088, the commission may, in accordance with this
14 section, allow the provider subject to the penalty to use, under the
15 supervision of the commission, any portion of the amount of the
16 penalty to ameliorate the violation or to improve services in the
17 waiver program in which the provider participates.

18 (b) The commission shall offer amelioration to a provider
19 under this section not later than the 10th day after the date the
20 provider receives from the commission a final notification of the
21 assessment of an administrative penalty that is sent to the
22 provider after an informal dispute resolution process but before an
23 administrative hearing.

24 (c) A provider to whom amelioration has been offered must
25 file a plan for amelioration not later than the 45th day after the
26 date the provider receives the offer of amelioration from the
27 commission. In submitting the plan, the provider must agree to

1 waive the provider's right to an administrative hearing if the
2 commission approves the plan.

3 (d) At a minimum, a plan for amelioration must:

4 (1) propose changes to the management or operation of
5 the waiver program in which the provider participates that will
6 improve services to or quality of care for clients in the program;

7 (2) identify, through measurable outcomes, the ways in
8 which and the extent to which the proposed changes will improve
9 services to or quality of care for clients in the waiver program;

10 (3) establish clear goals to be achieved through the
11 proposed changes;

12 (4) establish a timeline for implementing the proposed
13 changes; and

14 (5) identify specific actions necessary to implement
15 the proposed changes.

16 (e) The commission may require that an amelioration plan
17 propose changes that would result in conditions that exceed the
18 requirements of a law or rule relating to the waiver program in
19 which the provider participates.

20 (f) The commission shall approve or deny an amelioration
21 plan not later than the 45th day after the date the commission
22 receives the plan. On approval of a provider's plan, the commission
23 or the State Office of Administrative Hearings, as appropriate,
24 shall deny a pending request for a hearing submitted by the
25 provider.

26 (g) The commission may not offer amelioration to a provider:

27 (1) more than three times in a two-year period; or

1 (2) more than one time in a two-year period for the
2 same or similar violation.

3 Sec. 161.0882. INFORMAL DISPUTE RESOLUTION. (a) The
4 executive commissioner by rule shall establish an informal dispute
5 resolution process in accordance with this section. The process
6 must provide for adjudication by an appropriate disinterested
7 person of disputes relating to a proposed enforcement action or
8 related proceeding of the commission against a provider
9 participating in a waiver program described by Section 161.088.
10 The informal dispute resolution process must require:

11 (1) a provider participating in a waiver program
12 described by Section 161.088 to request informal dispute resolution
13 not later than the 10th calendar day after the date of notification
14 by the commission of the violation of a law or rule relating to the
15 program; and

16 (2) the commission to complete the process not later
17 than the 30th calendar day after the date of receipt of a request
18 from a provider for informal dispute resolution.

19 (b) As part of the informal dispute resolution process
20 established under this section, the commission shall contract with
21 an appropriate disinterested person who is a nonprofit organization
22 to adjudicate disputes between a provider participating in a
23 program described by Section 161.088 and the commission concerning
24 a statement of violations prepared by the commission. Section
25 2009.053, Government Code, does not apply to the selection of an
26 appropriate disinterested person under this subsection. The person
27 with whom the commission contracts shall adjudicate all disputes

1 described by this subsection.

2 (c) The executive commissioner shall adopt rules to
3 adjudicate claims in contested cases.

4 (d) The commission may not delegate its responsibility to
5 administer the informal dispute resolution process established by
6 this section to another state agency.

7 SECTION 3. (a) Section 1 of this Act takes effect only if
8 the Act of the 85th Legislature, Regular Session, 2017, relating to
9 nonsubstantive additions to and corrections in enacted codes
10 becomes law.

11 (b) Section 2 of this Act takes effect only if the Act of the
12 85th Legislature, Regular Session, 2017, relating to
13 nonsubstantive additions to and corrections in enacted codes does
14 not become law.

15 SECTION 4. As soon as practicable after the effective date
16 of this Act, the executive commissioner of the Health and Human
17 Services Commission shall adopt the rules necessary to implement
18 the changes in law made by this Act.

19 SECTION 5. This Act takes effect September 1, 2017.

ADOPTED

MAY 24 2017

Atty. Gen. Paul
Secretary of the Senate

By: Raymond

H.B. No. 2590

Substitute the following for ___B. No. ___:

By: Shirley J. Ratner

C.S. H.B. No. 2590

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the administrative penalty, amelioration, and informal
3 dispute resolution processes for providers participating in
4 certain Medicaid waiver programs.

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

6 SECTION 1. Section 161.088, Human Resources Code, as added
7 by Chapters 826 (H.B. 4001) and 1200 (S.B. 1385), Acts of the 84th
8 Legislature, Regular Session, 2015, is redesignated as Section
9 161.089, Human Resources Code, and amended to read as follows:

10 Sec. 161.089 [~~161.088~~]. ADMINISTRATIVE PENALTIES. (a)
11 This section applies to the following waiver programs established
12 under Section 1915(c), Social Security Act (42 U.S.C. Section
13 1396n(c)), and administered by the commission [~~department~~] to serve
14 persons with an intellectual or developmental disability:

15 (1) the home and community-based services (HCS) waiver
16 program; and

17 (2) the Texas home living (TxHmL) waiver program.

18 (b) The commission [~~department~~] may assess and collect an
19 administrative penalty against a provider who participates in a
20 program to which this section applies for a violation of a law or
21 rule relating to the program. If the commission [~~department~~]
22 assesses an administrative penalty against a provider for a
23 violation of a law or rule, the commission [~~department~~] may not
24 impose a payment hold against or otherwise withhold contract

1 payments from the provider for the same violation of a law or rule.

2 (c) After consulting with appropriate stakeholders, the
3 executive commissioner shall develop and adopt rules regarding the
4 imposition of administrative penalties under this section. The
5 rules must:

6 (1) specify the types of violations that warrant
7 imposition of an administrative penalty;

8 (2) establish a schedule of progressive
9 administrative penalties in accordance with the relative type,
10 frequency, and seriousness of a violation;

11 (3) prescribe reasonable amounts to be imposed for
12 each violation giving rise to an administrative penalty, subject to
13 Subdivision (4);

14 (4) authorize the imposition of an administrative
15 penalty in an amount not to exceed \$5,000 for each violation;

16 (5) provide that a provider commits a separate
17 violation each day the provider continues to violate the law or
18 rule;

19 (6) ensure standard and consistent application of
20 administrative penalties throughout the state; and

21 (7) provide for an administrative appeals process to
22 adjudicate claims and appeals relating to the imposition of an
23 administrative penalty under this section that is in accordance
24 with Chapter 2001, Government Code.

25 (d) ~~[In specifying the types of violations that warrant~~
26 ~~imposition of an administrative penalty under Subsection (c), the~~
27 ~~executive commissioner shall specify the types of minor violations~~

1 ~~that allow a provider an opportunity to take corrective action~~
2 ~~before a penalty is imposed.~~

3 ~~[(e)]~~ In determining the types of violations that warrant
4 imposition of an administrative penalty and in establishing the
5 schedule of progressive administrative penalties and penalty
6 amounts under Subsection (c), the executive commissioner must
7 consider:

8 (1) the seriousness of a violation, including:

9 (A) the nature, circumstances, extent, and
10 gravity of the violation; and

11 (B) the hazard to the health or safety of
12 recipients resulting from the violation;

13 (2) the provider's history of previous violations;

14 (3) whether the provider:

15 (A) had prior knowledge of the violation,
16 including whether the provider identified the violation through the
17 provider's internal quality assurance process; and

18 (B) made any efforts to mitigate or correct the
19 identified violation;

20 (4) the penalty amount necessary to deter future
21 violations; and

22 (5) any other matter justice may require.

23 (e) Except as provided by Subsection (f), the executive
24 commissioner by rule ~~[(f) In lieu of imposing an administrative~~
25 ~~penalty under this section, the department]~~ shall provide to
26 [allow] a provider who has implemented a plan of correction ~~[found~~
27 ~~to have committed a minor violation specified by rule in accordance~~

1 ~~with Subsection (d) to have]~~ a reasonable period of time following
2 ~~[that is not less than 45 days after]~~ the date the commission
3 ~~[department]~~ sends notice to the provider of the violation to
4 correct ~~[take corrective action regarding]~~ the violation before the
5 commission may assess an administrative penalty. The period may
6 not be less than 45 days ~~[department may not allow time for~~
7 ~~corrective action for any violation that is not a minor violation].~~

8 (f) The commission may assess an administrative penalty
9 without providing a reasonable period of time to a provider to
10 correct the violation if the violation:

11 (1) represents a pattern of violation that results in
12 actual harm;

13 (2) is widespread in scope and results in actual harm;

14 (3) is widespread in scope and constitutes a potential
15 for actual harm;

16 (4) constitutes an immediate threat to the health or
17 safety of a recipient;

18 (5) substantially limits the provider's ability to
19 provide care; or

20 (6) is a violation in which a provider:

21 (A) wilfully interferes with the work of a
22 representative of the commission or the enforcement of a law
23 relating to a program to which this section applies;

24 (B) fails to pay a penalty assessed by the
25 commission under this section not later than the 10th day after the
26 date the assessment of the penalty becomes final, subject to
27 Section 161.0891; or

1 (C) fails to submit a plan of correction not
2 later than the 10th day after the date the provider receives a
3 statement of the violation.

4 (g) Notwithstanding any other provision of this section, an
5 administrative penalty ceases to be incurred on the date a
6 violation is corrected.

7 (h) In this section:

8 (1) "Actual harm" means an observed, documented,
9 measured, or diagnosed injury or outcome that causes a serious or
10 significant impairment or reduction of a recipient's physical,
11 mental, or emotional well-being, including death. The term does
12 not include a physical, emotional, or financial injury that
13 constitutes minor harm.

14 (2) "Immediate threat to the health or safety of a
15 recipient" means a situation that caused, or is likely to cause,
16 actual harm to a recipient.

17 (3) "Minor harm" means a physical, emotional, or
18 financial injury that is:

19 (A) temporary in duration and transient in
20 effect, including:

21 (i) a temporary change in mood; and

22 (ii) a temporary reduction in self-esteem
23 that does not have a permanent or prolonged effect on the
24 recipient's behavior; or

25 (B) limited in scope or impact, including:

26 (i) an injury that does not represent a risk
27 of self-harm, harm to others, or damage to property; and

1 (ii) a financial loss that represents less
2 than 10 percent of a recipient's financial resources or personal
3 property.

4 (4) "Pattern of violation" means repeated, but not
5 pervasive, failures of a provider to comply with a law relating to a
6 program to which this section applies that:

7 (A) result in a violation; and

8 (B) are found throughout the services provided by
9 the provider or that affect or involve the same recipients or
10 provider employees or volunteers.

11 (5) "Recipient" means a person served by a program to
12 which this section applies.

13 (6) "Widespread in scope" means a violation of a law
14 relating to a program to which this section applies that:

15 (A) is pervasive throughout the services
16 provided by the provider; or

17 (B) represents a systemic failure by the provider
18 that affects or has the potential to affect a large portion of or
19 all of the recipients.

20 SECTION 2. Subchapter D, Chapter 161, Human Resources Code,
21 is amended by adding Sections 161.0891 and 161.0892 to read as
22 follows:

23 Sec. 161.0891. AMELIORATION PROCESS. (a) In lieu of
24 demanding payment of an administrative penalty assessed under
25 Section 161.089, the commission may, in accordance with this
26 section, allow the provider subject to the penalty to use, under the
27 supervision of the commission, any portion of the amount of the

1 penalty to ameliorate the violation or to improve services in the
2 waiver program in which the provider participates.

3 (b) The commission shall offer amelioration to a provider
4 under this section not later than the 10th day after the date the
5 provider receives from the commission a final notification of the
6 assessment of an administrative penalty that is sent to the
7 provider after an informal dispute resolution process but before an
8 administrative hearing.

9 (c) A provider to whom amelioration has been offered must
10 file a plan for amelioration not later than the 45th day after the
11 date the provider receives the offer of amelioration from the
12 commission. In submitting the plan, the provider must agree to
13 waive the provider's right to an administrative hearing if the
14 commission approves the plan.

15 (d) At a minimum, a plan for amelioration must:

16 (1) propose changes to the management or operation of
17 the waiver program in which the provider participates that will
18 improve services to or quality of care for recipients under the
19 program;

20 (2) identify, through measurable outcomes, the ways in
21 which and the extent to which the proposed changes will improve
22 services to or quality of care for recipients under the waiver
23 program;

24 (3) establish clear goals to be achieved through the
25 proposed changes;

26 (4) establish a timeline for implementing the proposed
27 changes; and

1 (5) identify specific actions necessary to implement
2 the proposed changes.

3 (e) The commission may require that an amelioration plan
4 propose changes that would result in conditions that exceed the
5 requirements of a law or rule relating to the waiver program in
6 which the provider participates.

7 (f) The commission shall approve or deny an amelioration
8 plan not later than the 45th day after the date the commission
9 receives the plan. On approval of a provider's plan, the commission
10 or the State Office of Administrative Hearings, as appropriate,
11 shall deny a pending request for a hearing submitted by the
12 provider.

13 (g) The commission may not offer amelioration to a provider:

14 (1) more than three times in a two-year period; or

15 (2) more than one time in a two-year period for the
16 same or similar violation.

17 Sec. 161.0892. INFORMAL DISPUTE RESOLUTION. (a) The
18 executive commissioner by rule shall establish an informal dispute
19 resolution process in accordance with this section. The process
20 must provide for adjudication by an appropriate disinterested
21 person of disputes relating to a proposed enforcement action or
22 related proceeding of the commission against a provider
23 participating in a waiver program described by Section 161.089.
24 The informal dispute resolution process must require:

25 (1) a provider participating in a waiver program
26 described by Section 161.089 to request informal dispute resolution
27 not later than the 10th calendar day after the date of notification

1 by the commission of the violation of a law or rule relating to the
2 program; and

3 (2) the commission to complete the process not later
4 than the 30th calendar day after the date of receipt of a request
5 from a provider for informal dispute resolution.

6 (b) As part of the informal dispute resolution process
7 established under this section, the commission shall contract with
8 an appropriate disinterested person who is a nonprofit organization
9 to adjudicate disputes between a provider participating in a
10 program described by Section 161.089 and the commission concerning
11 a statement of violations prepared by the commission. Section
12 2009.053, Government Code, does not apply to the selection of an
13 appropriate disinterested person under this subsection. The person
14 with whom the commission contracts shall adjudicate all disputes
15 described by this subsection.

16 (c) The executive commissioner shall adopt rules to
17 adjudicate claims in contested cases.

18 (d) The commission may not delegate its responsibility to
19 administer the informal dispute resolution process established by
20 this section to another state agency.

21 SECTION 3. As soon as practicable after the effective date
22 of this Act, the executive commissioner of the Health and Human
23 Services Commission shall adopt the rules necessary to implement
24 the changes in law made by this Act.

25 SECTION 4. This Act takes effect September 1, 2017.

ADOPTED

MAY 24 2017

FLOOR AMENDMENT NO. 1

Secretary of the Senate

BY: 

1 Amend C.S.H.B. No. 2590 (senate committee printing) as
2 follows:

3 (1) In SECTION 1 of the bill, strike added Sections
4 161.089(h)(1), (2), and (3), Human Resources Code (page 3, lines
5 3 through 25), substitute the following, and renumber subsequent
6 subdivisions accordingly:

7 (1) "Actual harm" means a negative outcome that
8 compromises a recipient's physical, mental, or emotional well-
9 being.

10 (2) "Immediate threat to the health or safety of a
11 recipient" means a situation that causes, or is likely to cause,
12 serious injury, harm, or impairment to or the death of a
13 recipient.

14 (2) In SECTION 2 of the bill, in added Section
15 161.0891(g), Human Resources Code (page 4, line 21), strike
16 "or".

17 (3) In SECTION 2 of the bill, in added Section
18 161.0891(g), Human Resources Code (page 4, line 23), between
19 "violation" and the underlined period, insert the following:

20 ; or

21 (3) for a violation that resulted in hazard to the
22 health or safety of a recipient, including serious harm or
23 death, or that substantially limits the provider's ability to
24 provide care

25 (4) In SECTION 2 of the bill, immediately following added
26 Section 161.0891(g), Human Resources Code (page 4, between lines
27 23 and 24), insert the following appropriately lettered
28 subsection:

29 () This section expires September 1, 2023.

1 (5) In SECTION 2 of the bill, in added Section
2 161.0892(b), Human Resources Code (page 4, line 42), strike "who
3 is a nonprofit organization".

4 (6) In SECTION 2 of the bill, in added Section
5 161.0892(b), Human Resources Code (page 4, line 44), immediately
6 before "program", insert "waiver".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 25, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2590 by Raymond (Relating to the administrative penalty, amelioration, and informal dispute resolution processes for providers participating in certain Medicaid waiver programs.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Human Resources Code related to administrative penalties and to direct the Health and Human Services Commission (HHSC) to establish an amelioration and informal dispute resolution process for providers participating in certain Medicaid waiver programs. The bill would take effect September 1, 2017.

Based on the Legislative Budget Board analysis of HHSC, duties and responsibilities associated with establishing an amelioration and informal dispute resolution process could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: UP, TBo, KCA, EP

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 22, 2017

TO: Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2590 by Raymond (Relating to the administrative penalty, amelioration, and informal dispute resolution processes for providers participating in certain Medicaid waiver programs.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Human Resources Code related to administrative penalties and to direct the Health and Human Services Commission (HHSC) to establish an amelioration and informal dispute resolution process for providers participating in certain Medicaid waiver programs. The bill would take effect September 1, 2017.

Based on the Legislative Budget Board analysis of HHSC, duties and responsibilities associated with establishing an amelioration and informal dispute resolution process could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: UP, TBo, KCA, EP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 12, 2017

TO: Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2590 by Raymond (Relating to the amelioration and informal dispute resolution processes for providers participating in certain Medicaid waiver programs.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Human Resources Code to direct the Health and Human Services Commission (HHSC) to establish an amelioration and informal dispute resolution process for providers participating in certain Medicaid waiver programs. The bill would take effect September 1, 2017.

Based on the Legislative Budget Board analysis of HHSC, duties and responsibilities associated with establishing an amelioration and informal dispute resolution process could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: UP, KCA, EP, TBo

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 7, 2017

TO: Honorable Richard Peña Raymond, Chair, House Committee on Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2590 by Raymond (Relating to the amelioration and informal dispute resolution processes for providers participating in certain Medicaid waiver programs.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Human Resources Code to direct the Health and Human Services Commission (HHSC) to establish an amelioration and informal dispute resolution process for providers participating in certain Medicaid waiver programs. The bill would take effect September 1, 2017.

Based on the Legislative Budget Board analysis of HHSC, duties and responsibilities associated with establishing an amelioration and informal dispute resolution process could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission

LBB Staff: UP, KCA, EP, TBo