

Amend **HB 161** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE). (a) Notwithstanding Rider 122, page II-85, Chapter 1053 (**SB 1**), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Health and Human Services Commission shall transfer money from Strategy A.1.1, Aged and Medicare-Related, or Strategy A.1.2, Disability-Related, to Strategy A.3.5, All-Inclusive Care - Elderly (PACE), as listed in that Act, in an amount not to exceed \$2,807,303 in general revenue funds appropriated for the state fiscal year beginning September 1, 2021, and \$11,229,210 in general revenue funds appropriated for the state fiscal year beginning September 1, 2022, to support up to 150 clients served in each of up to two additional Program of All-Inclusive Care for the Elderly (PACE) sites. The amount transferred under this subsection may not exceed \$1,403,651 for the state fiscal year beginning September 1, 2021, and \$5,614,605 for the state fiscal year beginning September 1, 2022, for each new site. It is the intent of the legislature that additional PACE sites be located in Bexar County and administered by entities with available facility space and demonstrated administrative capacity. The new sites shall support the goals of increased access to health care services, options for eligible persons, and improved public health outcomes.

(b) The transfer of money described by Subsection (a) of this section is contingent on the additional PACE sites having:

(1) complied with the statutory requirements of Section 32.053, Human Resources Code, and any regulatory requirements; and

(2) been approved by the Centers for Medicare and Medicaid Services to be a provider agency.

(c) The executive commissioner of the Health and Human Services Commission shall provide written notice to the Legislative Budget Board and the governor of the certification and transfer amounts not later than the 30th business day after the date a transfer occurs.

(d) If transfer authority provided by Subsection (a) of this section is not sufficient to serve the increase in clients described by Subsection (a) of this section, the executive commissioner of the Health and Human Services Commission shall submit a written request to the Legislative Budget Board and the governor for approval to transfer additional money from the strategies described by Subsection (a) of this section. The request shall be considered approved unless the Legislative Budget Board or the governor issues a written disapproval not later than the 30th business day after the date the staff of the Legislative Budget Board concludes its review of the request and forwards its review to the chair of the house appropriations committee, chair of the senate finance committee, speaker of the house of representatives, and lieutenant governor. Any requests for additional information made by the Legislative Budget Board toll the counting of the 30 business days.

(e) Proposed rates related to all PACE sites, including any new sites as authorized by this section, are subject to the requirements in Section 12, page II-102, Chapter 1053 (**SB 1**), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act). The fiscal impact of proposed rates shall be calculated relative to the average cost per client for existing PACE sites.

(f) A PACE provider shall provide any requested information on actual cost, caseload, and service on request of the Health and Human Services Commission, the Legislative Budget Board, or the governor.