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HOUSE OF REPRESENTATIVES

Michael C. ...

FLOOR AMENDMENT NO. _____

BY: Minjarez
Garcia-Hawkins

1 Amend H.B. No. 161 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY
5 (PACE). (a) Notwithstanding Rider 122, page II-85, Chapter 1053
6 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the
7 General Appropriations Act), the Health and Human Services
8 Commission shall transfer money from Strategy A.1.1., Aged and
9 Medicare-Related, or Strategy A.1.2., Disability-Related, to
10 Strategy A.3.5., All-Inclusive Care - Elderly (PACE), as listed in
11 that Act, in an amount not to exceed \$2,807,303 in general revenue
12 funds appropriated for the state fiscal year beginning September 1,
13 2021, and \$11,229,210 in general revenue funds appropriated for the
14 state fiscal year beginning September 1, 2022, to support up to 150
15 clients served in each of up to two additional Program of
16 All-Inclusive Care for the Elderly (PACE) sites. The amount
17 transferred under this subsection may not exceed \$1,403,651 for the
18 state fiscal year beginning September 1, 2021, and \$5,614,605 for
19 the state fiscal year beginning September 1, 2022, for each new
20 site. It is the intent of the legislature that additional PACE
21 sites be located in Bexar County and administered by entities with
22 available facility space and demonstrated administrative capacity.
23 The new sites shall support the goals of increased access to health
24 care services, options for eligible persons, and improved public
25 health outcomes.

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

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

1 requirements; and

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

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

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

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

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