A BILL TO BE ENTITLED
AN ACT
relating to making supplemental appropriations relating to health
and human services and giving direction regarding appropriations.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19
SERVICES. (a) The amount of $2,005,581,271 is appropriated to the
Department of State Health Services from money received by this
state from the Coronavirus State Fiscal Recovery Fund (42
U.S.C. Section 802) established under the American Rescue Plan Act
of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
Coronavirus Relief Fund No. 325 for the following purposes related
to the coronavirus disease pandemic during the period beginning on
March 3, 2021, and ending December 31, 2021:
(1) providing funding for state and local hospital
surge staffing;
(2) purchasing therapeutic drugs, including drugs for
monoclonal antibody treatments; and
(3) providing funding for the operation of regional
infusion centers.
(b) It is the intent of the legislature that any
reimbursement received by the Department of State Health Services
from the Federal Emergency Management Agency related to
expenditures paid from money appropriated under Subsection (a) of
this section be deposited to the general revenue fund and not
Appropriations made under Subsection (a) of this section that remain unobligated on January 1, 2022, lapse to the credit of the Coronavirus Relief Fund No. 325 and may not expended until appropriated by the legislature.

SECTION 2. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS STATE HOSPITAL. (a) The amount of $237,800,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of completing construction of a state hospital in Dallas during the two-year period beginning on the effective date of this Act.

(b) The capital budget authority of the Health and Human Services Commission in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by $237,800,000 for the appropriation made under Subsection (a) of this section.

SECTION 3. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING NEEDS. (a) The amount of $300,000,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date...
of this Act for the Health and Human Services Commission to
administer one-time grants related to providing critical staffing
needs resulting from frontline health care workers affected by
COVID-19, including providing recruitment and retention bonuses
for staff:

(1) of nursing facilities, assisted living
facilities, home health agencies, and facilities that serve persons
with intellectual or developmental disabilities in an intermediate
care facility for individuals with intellectual disabilities or
related conditions (ICF/IID);

(2) who provide community attendant services; and

(3) who provide home and community-based services and
services through the Texas home living (HCS and TxHML) waiver
programs.

(b) It is the intent of the legislature that the Health and
Human Services Commission prioritize grants to grantees that comply
with the reporting requirements prescribed by Rider 143 (Health and
Human Services Commission), Chapter 1053 (S.B. 1), Acts of the 87th
Legislature, Regular Session, 2021 (the General Appropriations
Act), the reporting requirements established by Chapter 588
(S.B. 809), Acts of the 87th Legislature, 2021, or equivalent
reporting requirements established by the Health and Human Services
Commission.

(c) Annually, the Health and Human Services Commission
shall report to the Legislative Budget Board the grants awarded
under this section. The report must include, for the year covered
by the report, the amount of grants awarded, the award recipients,
and the total amount of each grant used by the recipient. The report must be submitted to the Legislative Budget Board not later than December 1 of the year in which the report is due.

(d) Of the amount appropriated under Subsection (a) of this section:

(1) $150,000,000 may be used only for grants for nursing facilities; and

(2) $150,000,000 may be used only for grants for assisted living facilities, home health facilities, community attendants, and facilities that serve persons with intellectual or developmental disabilities in an intermediate care facility for individuals with intellectual disabilities or related conditions (ICF/IID), home and community-based services and Texas home living (HCS and TxHML) waiver programs.

SECTION 4. HEALTH AND HUMAN SERVICES COMMISSION: RURAL HOSPITALS. The amount of $75,000,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants to support rural hospitals that have been affected by the COVID-19 pandemic during the two-year period beginning on the effective date of this Act.

SECTION 5. DEPARTMENT OF STATE HEALTH SERVICES: FEDERALLY QUALIFIED HEALTH CENTER INCUBATOR PROGRAM. The amount of $20,000,000 is appropriated to the Department of State Health
Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use during the two-year period beginning on the effective date of this Act for the Federally Qualified Health Center Incubator Program.

SECTION 6. DEPARTMENT OF STATE HEALTH SERVICES: EMERGENCY MEDICAL SERVICES. (a) The amount of $21,700,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for emergency medical response service staffing, including:

(1) funding for programs to incentivize and increase the number of Emergency Medical Technicians (EMTs) and paramedics that provide care on an ambulance; and

(2) funding for Emergency Medical Services (EMS) education programs, including distance learning programs, to increase the number of EMTs and paramedics graduating from EMS education programs.

(b) It is the intent of the legislature that, consistent with state law, the Department of State Health Services prioritize funding appropriated under Subsection (a) of this section for rural and underserved areas.
SECTION 7. DEPARTMENT OF STATE HEALTH SERVICES AND HEALTH
AND HUMAN SERVICES COMMISSION: FEDERAL FUNDS FOR HOSPITALS. It is
the intent of the Legislature that the Department of State Health
Services and the Health and Human Services Commission, in
distributing any money received from the Coronavirus State Fiscal
Recovery Fund (42 U.S.C. Section 802) established under the
American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited
to the credit of the Coronavirus Relief Fund No. 325 distribute the
money appropriated by this Act only to entities that are in
compliance with the hospital price transparency public disclosure
requirements required by 45 C.F.R. Sections 180.10 - 180.60 and by
Chapter 1044 (S.B. 1137), Acts of the 87th Legislature, Regular
Session, 2021.

SECTION 8. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.
(a) It is the intent of the legislature that the appropriations
made by this Act are one-time appropriations made for the purpose of
addressing the needs of this state for the two-year period
beginning on the effective date of this Act.

(b) It is the intent of the legislature that the
appropriations made by this Act be used only for purposes
authorized by state and federal law, including guidance issued by
the United States Department of the Treasury as part of the interim

(c) It is the intent of the legislature that the
appropriations made by this Act be used before all other methods of
finance if more than one method of finance has been appropriated by
this and a prior act of the legislature for use during a state
fiscal year.

(d) It is the intent of the legislature that if the purpose of an appropriation, for any reason, is determined by the United States Department of the Treasury or any other qualified state or federal authority to have been made for an improper use, the appropriated money not be spent and instead be retained in the treasury and available for later legislative appropriation.

SECTION 9. APPROPRIATION AUTHORITY UNDER FEDERAL LAW. The appropriations made under Sections 2, 4, 5, and 6 of this Act using money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) are made in accordance with 42 U.S.C. Section 802(c)(1)(C), which allows money from the Coronavirus State Fiscal Recovery Fund to be used to provide government services to the extent of a reduction in the revenue of a state government caused by the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the state government that ended before that emergency.

SECTION 10. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER LAW. The transfer provisions of Part 14, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and the transfer provisions of Section 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), apply to the appropriations made by this Act to allow appropriate transfer of appropriations made by this Act as if the appropriations made by the
General Appropriations Act, the Supplemental Appropriations Act, and this Act were all a part of the same Act, to the extent permitted by federal law.

SECTION 11. EFFECTIVE DATE. This Act takes effect immediately.