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21 Apr-18 PM 09:17  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Parker

1 Amend C.S.H.B. No. 2 (house committee printing), by adding  
2 the following SECTION and renumbering subsequent SECTIONS  
3 accordingly:

4 SECTION \_\_\_\_\_, HEALTH AND HUMAN SERVICES COMMISSION (a) It  
5 is the intent of the Legislature that any Federal Funds provided  
6 to the Health and Human Services Commission (HHSC) for the  
7 provision of home and community-based services (HCBS) in the  
8 Families First Coronavirus Relief Act (FFCRA), Coronavirus Aid,  
9 Relief, and Economic Security (CARES) Act, the American Rescue  
10 Plan Act of 2021, or any other federal COVID-19 relief bill be  
11 subject to the following conditions:

12 (1) HHSC shall only expend such funds on Medicaid initiatives  
13 that:

14 (A) directly increase access to care, including direct  
15 service provisions, rate increases for all providers of direct  
16 services, supplies, and equipment;

17 (B) increasing waiver and emergency diversion slots and  
18 decreasing interest lists;

19 (C) funding of new and existing state laws governing  
20 the operation or implementation of the Medicaid program;

21 (D) exploring opportunities to draw additional federal  
22 funding provided by the Advancing Care for Exceptional (ACE) Kids  
23 Act; and

24 (E) achieving full compliance with federal law and  
25 regulations governing HCBS, including federal HCBS settings rules.

1       (2) HHSC shall ensure funds identified for provider rate  
2 increases are directly reimbursed to providers of direct services,  
3 supplies, and equipment;

4       (3) HHSC shall ensure that managed care organizations  
5 reimburse the full amount of funds referenced under subsection  
6 (a)(1) to providers of direct services, supplies, and equipment;

7       (4) HHSC shall not use or expend funds directly or indirectly  
8 for payroll of any kind, contract administration, or  
9 administrative services provided by managed care organizations.

10 Funds identified for provider rate increases may not be used  
11 directly or indirectly for administrative services, payroll,  
12 bonuses, or costs unallowable under state or federal law or  
13 regulation or the Uniform Managed Care Contract; and

14       (5) HHSC shall only use these funds for the purposes set out  
15 in this provision to supplement, not supplant, state dollars  
16 appropriated for the operation of the Medicaid program.