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21 Apr-19 AM 09:34
HOUSE OF REPRESENTATIVES

BY: Parker

FLOOR AMENDMENT NO. _____

1 Amend C.S.S.B. No. 1 (house committee printing) in Article II
2 of the bill, following the appropriations to the Health and Human
3 Services Commission (page II-47), by adding the following
4 appropriately numbered rider and renumbering subsequent riders
5 accordingly:

6 _____. Utilization of Federal Relief Dollars for Medicaid
7 Home and Community Based Services Programs. It is the intent of
8 the Legislature that any Federal Funds provided to the Health and
9 Human Services Commission (HHSC) for the provision of home and
10 community-based services (HCBS) in the Families First Coronavirus
11 Relief Act (FFCRA), Coronavirus Aid, Relief, and Economic Security
12 (CARES) Act, the American Rescue Plan Act of 2021, or any other
13 federal COVID-19 relief bill be subject to the following
14 conditions:

15 (a) HHSC shall only expend such funds on Medicaid initiatives
16 that:

17 (1) directly increase access to care, including direct
18 service provisions, rate increases for all providers of direct
19 services, supplies, and equipment;

20 (2) increasing waiver and emergency diversion slots and
21 decreasing interest lists;

22 (3) funding of new and existing state laws governing
23 the operation or implementation of the Medicaid program;

24 (4) exploring opportunities to draw additional federal
25 funding provided by the Advancing Care for Exceptional (ACE) Kids

1 Act; and

2 (5) achieving full compliance with federal law and
3 regulations governing HCBS, including federal HCBS settings rules.

4 (b) HHSC shall ensure funds identified for provider rate
5 increases are directly reimbursed to providers of direct services,
6 supplies, and equipment;

7 (c) HHSC shall ensure that managed care organizations
8 reimburse the full amount of funds referenced under subsection
9 (a) (1) to providers of direct services, supplies, and equipment;

10 (d) HHSC shall not use or expend funds directly or indirectly
11 for payroll of any kind, contract administration, or
12 administrative services provided by managed care organizations.
13 Funds identified for provider rate increases may not be used
14 directly or indirectly for administrative services, payroll,
15 bonuses, or costs unallowable under state or federal law or
16 regulation or the Uniform Managed Care Contract; and

17 (e) HHSC shall only use these funds for the purposes set out
18 in this provision to supplement, not supplant, state dollars
19 appropriated for the operation of the Medicaid program.