

By: Manuel, Garcia of Dallas

H.B. No. 4666

A BILL TO BE ENTITLED

AN ACT

relating to certain reports required to be prepared or submitted by or in collaboration with the Health and Human Services Commission or submitted to the governor or a member of the legislature under the Health and Safety Code.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 523.0154, Government Code, is amended to read as follows:

Sec. 523.0154. DATA ANALYSIS UNIT; ANNUAL REPORTS ~~[QUARTERLY UPDATE]~~.

SECTION 2. Section 523.0154(d), Government Code, is amended to read as follows:

(d) Not later than December 1 of each year ~~[the 30th day following the end of each calendar quarter]~~, the data analysis unit shall provide:

(1) a report [an update] on the unit's activities and findings to the governor, the lieutenant governor, the Legislative Budget Board, the speaker of the house of representatives, the chair of the Senate Finance Committee, the chair of the House Appropriations Committee, and the chairs of the standing committees of the senate and house of representatives having jurisdiction over Medicaid; and

(2) a report of any anomalies identified by the unit under Subsection (a)(3) to the commission's office of the inspector

1 general.

2 SECTION 3. The heading to Section 532.0453, Government
3 Code, is amended to read as follows:

4 Sec. 532.0453. CONTINUED IMPLEMENTATION OF CERTAIN
5 INTERVENTIONS AND BEST PRACTICES BY PROVIDERS; BIENNIAL
6 [~~SEMIANNUAL~~] REPORT.

7 SECTION 4. Section 532.0453(b), Government Code, is amended
8 to read as follows:

9 (b) Each even-numbered year, the [~~The~~] commission shall
10 [~~semiannually~~] prepare and submit to the legislature a report that
11 contains a summary of the commission's efforts under this section
12 and Section 532.0451(b).

13 SECTION 5. Section 542.0054, Government Code, is amended to
14 read as follows:

15 Sec. 542.0054. BIENNIAL [~~ANNUAL~~] REPORT ON IMPLEMENTATION.

16 (a) Not later than September 30 of each even-numbered year, the
17 commission, in collaboration with the advisory committee, shall
18 prepare and submit to the legislature a report that includes:

19 (1) an assessment of the implementation of the system
20 required by this chapter, including appropriate information
21 regarding the provision of acute care services and long-term
22 services and supports to individuals with an intellectual or
23 developmental disability under Medicaid;

24 (2) recommendations regarding implementation of and
25 improvements to the system redesign, including recommendations
26 regarding appropriate statutory changes to facilitate the
27 implementation; and

1 (3) an assessment of the effect of the system on:

2 (A) access to long-term services and supports;

3 (B) the quality of acute care services and
4 long-term services and supports;

5 (C) meaningful outcomes for Medicaid recipients
6 using person-centered planning, individualized budgeting, and
7 self-determination, including an individual's inclusion in the
8 community;

9 (D) the integration of service coordination of
10 acute care services and long-term services and supports;

11 (E) the efficiency and use of funding;

12 (F) the placement of individuals in housing that
13 is the least restrictive setting appropriate to an individual's
14 needs;

15 (G) employment assistance and customized,
16 integrated, competitive employment options; and

17 (H) the number and types of fair hearing and
18 appeals processes in accordance with federal law.

19 (b) This section expires on the second anniversary of the
20 date the commission completes implementation of the transition
21 required under Section 542.0201.

22 SECTION 6. Sections 542.0119(a) and (b), Government Code,
23 are amended to read as follows:

24 (a) The commission, in collaboration with the advisory
25 committee and pilot program work group, shall review and evaluate
26 the progress and outcomes of the pilot program and submit, as part
27 of the [~~annual~~] report required under Section 542.0054, a report on

the pilot program's status that includes recommendations for improving the pilot program.

(b) Not later than September 1, 2026, the commission, in collaboration with the advisory committee and pilot program work group, shall prepare and submit to the legislature a written report that evaluates the pilot program based on a comprehensive analysis. The analysis must:

(1) assess the effect of the pilot program on:

(A) access to and quality of long-term services and supports;

(B) informed choice and meaningful outcomes using person-centered planning, flexible consumer-directed services, individualized budgeting, and self-determination, including a pilot program participant's inclusion in the community;

(C) the integration of service coordination of acute care services and long-term services and supports;

(D) employment assistance and customized, integrated, competitive employment options;

(E) the number, types, and dispositions of fair hearings and appeals in accordance with federal and state law;

(F) increasing the use and flexibility of the consumer direction model;

(G) increasing the use of alternatives to guardianship, including supported decision-making agreements as defined by Section [1357.002](#), Estates Code;

(H) achieving the best and most cost-effective funding use based on a pilot program participant's needs and

1 preferences; and

2 (I) attendant recruitment and retention;

3 (2) analyze the experiences and outcomes of the
4 following systems changes:

5 (A) the comprehensive assessment instrument
6 described by Section 533A.0335, Health and Safety Code;

7 (B) the 21st Century Cures Act (Pub. L.
8 No. 114-255);

9 (C) implementation of the federal rule adopted by
10 the Centers for Medicare and Medicaid Services and published at 79
11 Fed. Reg. 2948 (January 16, 2014) related to the provision of
12 long-term services and supports through a home and community-based
13 services (HCS) waiver program under Section 1915(c), 1915(i), or
14 1915(k) of the Social Security Act (42 U.S.C. Section 1396n(c),
15 (i), or (k));

16 (D) the provision of basic attendant and
17 habilitation services under Section 542.0152; and

18 (E) the benefits of providing STAR+PLUS Medicaid
19 managed care services to individuals based on functional needs;

20 (3) include feedback on the pilot program based on the
21 personal experiences of:

22 (A) individuals with an intellectual or
23 developmental disability and individuals with similar functional
24 needs who were pilot program participants;

25 (B) families of and other persons actively
26 involved in the lives of individuals described by Paragraph (A);
27 and

1 (C) comprehensive long-term services and
2 supports providers who delivered services under the pilot program;

3 (4) be incorporated in the [~~annual~~] report required
4 under Section 542.0054; and

5 (5) include recommendations on:

6 (A) a system of programs and services for the
7 legislature's consideration;

8 (B) necessary statutory changes; and

9 (C) whether to implement the pilot program
10 statewide under the STAR+PLUS Medicaid managed care program for
11 eligible individuals.

12 SECTION 7. Section 542.0151(b), Government Code, is amended
13 to read as follows:

14 (b) The commission, in collaboration with the advisory
15 committee, shall analyze the outcomes of providing acute care
16 Medicaid benefits to individuals with an intellectual or
17 developmental disability under a model described by Subsection
18 (a). The analysis must:

19 (1) include an assessment of the effects of the
20 delivery model on:

21 (A) access to and quality of acute care services;
22 and

23 (B) the number and types of fair hearing and
24 appeals processes in accordance with federal law;

25 (2) be incorporated into the [~~annual~~] report to the
26 legislature required under Section 542.0054; and

27 (3) include recommendations for delivery model

1 improvements and implementation for the legislature's
2 consideration, including recommendations for needed statutory
3 changes.

4 SECTION 8. Section 543A.0003(a), Government Code, is
5 amended to read as follows:

6 (a) The commission shall include aggregate, nonidentifying
7 data collected using the quality-based outcome measure described by
8 Section 543A.0002(b) in the ~~[annual]~~ report required by Section
9 543A.0008. The commission may include the data in any other report
10 required by this chapter.

11 SECTION 9. The heading of Section 543A.0008, Government
12 Code, is amended to read as follows:

13 Sec. 543A.0008. BIENNIAL ~~[ANNUAL]~~ REPORT.

14 SECTION 10. Section 543A.0008(a), Government Code, is
15 amended to read as follows:

16 (a) The commission shall submit to the legislature and make
17 available to the public in each even-numbered year a ~~[an annual]~~
18 report on:

19 (1) the quality-based outcome and process measures
20 developed under Sections ~~[Section]~~ 543A.0002 and 543A.0003,
21 including measures based on each potentially preventable event; and

22 (2) the progress of implementing quality-based
23 payment systems under Section 543A.0004 and other payment
24 initiatives under this chapter.

25 SECTION 11. Chapter 1, Health and Safety Code, is amended by
26 adding Section 1.006 to read as follows:

27 Sec. 1.006. REPORTS. Notwithstanding any other law, each

1 report that is required by this code to be submitted to the governor
2 or a member of the legislature must be submitted not later than
3 December 1 of the year that the report is due.

4 SECTION 12. If before implementing any provision of this
5 Act a state agency determines that a waiver or authorization from a
6 federal agency is necessary for implementation of that provision,
7 the agency affected by the provision shall request the waiver or
8 authorization and may delay implementing that provision until the
9 waiver or authorization is granted.

10 SECTION 13. This Act takes effect immediately if it
11 receives a vote of two-thirds of all the members elected to each
12 house, as provided by Section 39, Article III, Texas Constitution.
13 If this Act does not receive the vote necessary for immediate
14 effect, this Act takes effect September 1, 2025.