



PACSTX

PROVIDERS ALLIANCE FOR COMMUNITY SERVICES OF TEXAS

Regulatory & Policy Year in Review

Kathy Griffith, Caregiver, Inc.

Sandy Batton, PACSTX

Agenda

- Overall Changes to IDD Services
- HCS Changes
- Day Hab/ISS Changes
- Coming Attractions

Overall Changes to IDD Services

The end of PHE

- What that means re: infection control policies
- End of Vaccine requirements
- Essential caregiver requirements permanent (Ch. 570, [Subchapter G](#) for ICF & [Subchapter H](#) for HCS, [PL2022-13](#))
- End of flexibilities – In-home ISS, group home flexibilities: shift change and capacity
- Ongoing flexibility – CFC Pas/Hab and respite: staff can reside in the individual's home until August 31, 2024
- Medicaid eligibility unwinding

HHS organizational changes

- New Medicaid director, Emily Zalkovsky
- New/changing policy staff, Erica Brown, Kate Layman
- Heather Fleming, Director of Provider Relations, Medicaid/CHIP

Technology changes

- [New DSP portal for hiring](#)
- [Blackboard Connect HCS/TxHmL/ICF/DAHS](#)

HCS Changes

TMHP Issues – Tangled Transfers, span billing, reports

HCBS Settings Rule – Final Rule Adopted March 1, 2023, [Ch. 263](#) (262/TxHmL)

- Door locks (host home providers who meet definition of “relative” of the individual can be exempt)
- Residential agreements (host home providers who meet definition of “relative” of the individual can be exempt)
 - Room & board changes
 - Chronic non-compliance of room & board
- Access to food

Deloitte Study/Reimbursement Rules/\$10.60 wage floor

- Floor does not apply to group homes, but does apply to contracted & employees of ISS including in-home ISS

HHA Exchange EVV

HCS Standards & New Survey Process

- Now “Certification Standards” [Ch. 565](#) (566/TxHmL), effective June 21, 2023
 - Behavior support plans
 - Enclosed beds and protective devices ([Subchapter F](#)) 565.35 and 565.37
 - Residential standards 565.23
 - Smoke alarms in hallways and each bedroom for host & group homes
- New Survey Process
 - Provider monitoring of host home every 90 days
 - Unannounced
 - 100% Group homes reviewed, 20% host homes, 10% sample



Day
Habilitation/Individualized
Skills & Socialization

- Licensure ([Chapter 559, Subchapter H](#)) – ONLY Subchapter H Applies
- Program Rules – [Chapter 263, Subchapter L](#)
- By December 31, 2023 all PDPs, IPCs, and IPs must be updated w/ new ISS units & language
- Billing/SDLs
- Critical Incident Reporting - 5 day report
- Settings Rule Enforcement
 - Settings Rule Reviews
 - [Attestation/Offsite ISS](#), March 17, 2024
- End of reimbursement for paid work at day habilitation
- New ACRE September 1
- Loss of day habilitation providers survey

ARPA Funding Reporting

Name of Funding or Requirement	Deadline for Final Report	Description
SB 809 Reporting Requirement	August 31, 2023	SB 809 reports were submitted monthly to HHSC. Reports included funds that were directly given to providers from the federal government. PPP loans were excluded. In most cases, the only funds IDD providers reported were Federal Provider Relief Funds.
Federal Provider Relief Funds	View reporting deadlines	Various “traunches”, providers applied through HRSA and funds were directly deposited. First distribution for Medicaid providers required providers to apply by August 2020. Final report is also through HRSA portal.
ICF COVID-19 in Healthcare Relief Grant(SB 8 Grant)	July 31, 2023	Providers applied for one-time lump sum grant funds.
ARPA HCBS Provider Retention Payments(HCBS FMAP Funding)	August 9, 2023	<p>HCS/TxHmL providers received an add-on rate from March-August of 2022. 90% funds had to be used to pay direct care staff including nurses recruitment and retention bonuses. Providers were required to submit an initial attestation and final report. The final report focused on staff vacancy.</p> <p>*HHSC is not recouping for those that missed this deadline and looking into the option of allowing providers to submit past the deadline, more information to come!</p>
Non-CDS COVID-19 in Healthcare Relief Grant (SB 8 Grant)	September 30, 2023	<p>HCS/TxHmL providers applied for one-time lump sum grant funds for COVID-19 staffing needs. Allowable expenses include:</p> <ol style="list-style-type: none">1. Staffing-related needs and the costs of Staff salaries and wages, including contracted Staff services (elsewhere in the application was a prohibition on using funds to increase wages);2. One-time recruitment and retention bonuses for Staff;3. Overtime costs; and4. Travel-related costs of Staff directly related to provision of service to Clients.

Coming Attractions

- STAR+PLUS New Plans start next year
- EVV Therapies & Nursing in January
- ISS Licensure changes
- Contract system improvements
- Prevocational Services
- Employment 1st Uniform Assessment Tool
- CIMS Interface
- TMHP splitting vendors

STAR+PLUS Plan Changes – September 2024

New STAR+PLUS contract awards:

- United Healthcare Community Plan of Texas, LLC. – Bexar, Central Texas, Dallas, Harris, Hidalgo, Northeast Texas, Tarrant and Travis Service Areas
- Molina Healthcare of Texas, Inc. – Bexar, Dallas, El Paso, Harris, Hidalgo, Jefferson, Northeast Texas and Tarrant Service Areas
- Superior HealthPlan, Inc. – Central Texas, Dallas, Hidalgo, Lubbock, Nueces, Travis and West Texas Service Areas
- Amerigroup Insurance Company – Jefferson, Lubbock, Nueces and West Texas Service Areas
- Community First Health Plans, Inc. – Bexar Service Area
- El Paso Health – El Paso Service Area
- Community Health Choice Texas, Inc. – Harris Service Area



Helpful Links

- [Joint training website](#)
- [ISS training website](#)
- [HCS/TxHmL provider training website](#)
- [Provider Finance – Rates](#), (Google “HHSC Provider Finance”)
 - [HCS Rates](#)
 - [ICF Rates](#)
- [HCS Billing Requirements](#) (go to HHSC website, click “regulations” and go down to “handbooks”)
- [HCS Provider webpage](#)
- [ICF Provider webpage](#)
- [Individualized Skills and Socialization provider webpage](#)

Regulatory Changes

