

AN ACT

relating to the provision of services and resources to certain individuals by a state supported living center and to the creation of a schedule of support services a state supported living center may provide and procedures for establishing applicable fees for those services.

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

SECTION 1. Section 161.080, Human Resources Code, is amended by amending Subsection (b) and adding Subsections (c), (d), and (e) to read as follows:

(b) Notwithstanding any other law, a state supported living center may provide nonresidential services to support an individual if ~~+~~

~~[(1) the individual:~~

~~[(A) is receiving services in a program funded by the department,~~

~~[(B) meets the eligibility criteria for the intermediate care facility for persons with an intellectual disability program, and~~

~~[(C) resides in the area in which the state supported living center is located, and~~

~~[(2)]~~ the provision of services to the individual does not interfere with the provision of services to a resident of the state supported living center.

1       (c) The executive commissioner by rule shall establish:

2               (1) a list of services a state supported living center  
3 may provide under a contract described by Subsection (a); and

4               (2) procedures for the commission to create, maintain,  
5 and amend as needed a schedule of fees that a state supported living  
6 center may charge for a service included in the list described by  
7 Subdivision (1).

8       (d) In creating a schedule of fees, the commission shall:

9               (1) use the reimbursement rate for the applicable  
10 service under the Medicaid program; or

11               (2) modify that rate with a written justification for  
12 the modification and after holding a public hearing on the issue of  
13 the modification.

14       (e) Notwithstanding Subsection (c), a state supported  
15 living center, based on negotiations between the center and a  
16 managed care organization, as defined by Section 533.001,  
17 Government Code, may charge a fee for a service other than the fee  
18 provided by the schedule of fees created by the commission under  
19 this section.

20       SECTION 2. Not later than September 1, 2018, the executive  
21 commissioner of the Health and Human Services Commission shall  
22 adopt the rules listing services a state supported living center  
23 may provide under a contract and the procedures for the commission  
24 to create the schedule of fees for those services, as required by  
25 Section 161.080, Human Resources Code, as amended by this Act.

26       SECTION 3. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 547

1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2017.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 547 passed the Senate on  
April 26, 2017, by the following vote: Yeas 30, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 547 passed the House on  
May 21, 2017, by the following vote: Yeas 128, Nays 14, one  
present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor