

**TEXAS HEALTH AND HUMAN SERVICES
COMMISSION
RATE ANALYSIS DEPARTMENT**

**Notice of Proposed Adjustments to Fees, Rates or
Charges for Personal Care Services**

**Adjustments are proposed to be effective
September 1, 2019**

SUMMARY OF PROPOSED ADJUSTMENTS

To Be Effective September 1, 2019

Included in this document is information relating to the proposed adjustments to Medicaid payment rates for Personal Care Services. The Texas Health and Human Services Commission (HHSC) intends to submit an amendment to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act to update the fee schedules to reflect these proposed adjustments. The rates are proposed to be effective September 1, 2019.

Hearing

The Health and Human Services Commission (HHSC) will conduct a public hearing to receive comments regarding the proposed adjustments to Medicaid rates detailed in this document on July 29, 2019, at 10:30 a.m. – 12:00 p.m. in the Public Hearing Room in the Winters Building at 701 West 51st St., Austin, Texas 78751, with entrance through Security at the front of the building facing 51st Street. HHSC will consider all concerns expressed at the hearing prior to final rate approval. This public hearing will be held in compliance with the provisions of Human Resources Code §32.0282 which requires a public hearing on proposed payment rate adjustments. Should you have any questions regarding the information in this document, please contact:

Rate Analysis for Acute Care Services
Texas Health and Human Services Commission
E-mail: RADAcuteCare@hhsc.state.tx.us

Background

HHSC is responsible for the reimbursement determination functions for the Texas Medicaid Program. Proposed rates are calculated utilizing established methodologies that conform to the Social Security Act and related federal regulations, the federally approved Texas Medicaid State Plan, all applicable state statutes and rules, and other requirements.

Methodology

The specific administrative rules that govern the establishment of the fees in this proposal include these rules in the Texas Administrative Code (TAC):

- §355.8021, which addresses the reimbursement methodology for home health services;

- §355.8085, which addresses the reimbursement methodology for physicians and other practitioners; and
- §355.8441, which addresses the reimbursement methodology for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services.

Legislative Direction for Proposed Rate Adjustments:

The 2019-20 General Appropriations Act, H.B. 1, 86th Legislature, Regular Session, 2019 [Article II, HHSC, Rider 45] directed the Health and Human Services Commission (HHSC) to increase reimbursement rates for Personal Care Services to provide a base wage of personal attendants to \$8.11 effective September 1, 2019.

Specific proposed payment rate adjustments are listed in the attachments outlined below:

Att 1–Personal Care Services

Written Comments

Written comments regarding the proposed payment rate adjustments will be accepted in lieu of, or in addition to, oral testimony until 5 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Rate Analysis at (512) 730-7475; or by e-mail to RADAcuteCare@hhsc.state.tx.us. In addition, written comments will be accepted by overnight mail or hand delivery to Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, Brown-Heatly Building, 4900 North Lamar, Austin, Texas 78751

Persons with disabilities who wish to attend the hearing and required auxiliary aids or services were advised to contact Rate Analysis at (512) 730-7401 at least 72 hours in advance, so appropriate arrangements could be made.

This public rate hearing briefing packet presents proposed payment rates and is distributed at HHSC public rate hearings and posted by the proposed effective date on the HHSC website at <http://rad.hhs.texas.gov/rate-packets>. Proposed rates may or may not be adopted, depending on HHSC

management decisions after review of public comments and additional information. Provider and public notification about adoption decisions are published on the Texas Medicaid and Healthcare Partnership (TMHP) website at <http://www.tmhp.com> in banner messages, bulletins, notices, and updates to the Texas Medicaid fee schedules. The fee schedules are available in static files or online lookup at <http://public.tmhp.com/FeeSchedules>.

Legislative Attachment 1 - Personal Care Services - (Proposed to be effective September 1, 2019)

TOS*	Procedure Code	Modifier	Long Description	Age Range	Non-Facility (N)/ Facility (F)	Provider Type (PT) / Provider Speciality (PS)	CURRENT		9/1/2019		Percent Change from Current Medicaid Fee
							Current Medicaid Fee	Current Adjusted Medicaid Fee	Proposed Medicaid Fee	Proposed Adjusted Medicaid Fee	
1	T1019	U3	Personal Care Services, per 15 minutes (Consumer Directed Services (CDS) option - CFC Only)	0-20	N		\$2.75	\$2.72	\$2.75	\$2.75	1.10%
1	T1019	U4	Personal Care Services, per 15 minutes (Behavioral Health Condition - CDS option - CFC Only)	0-20	N		\$3.26	\$3.23	\$3.26	\$3.26	0.93%
1	T1019	U5	Personal Care Services, per 15 minutes (Administration Fee for CDS option- once per month - CFC Only)	0-20	N		\$110.00	\$108.90	\$110.00	\$110.00	1.01%
1	T1019	U6	Personal Care Services, per 15 minutes	0-20	N		\$2.95	\$2.92	\$2.95	\$2.95	1.03%
1	T1019	U7	Personal Care Services, per 15 minutes (Consumer Directed Services (CDS) option)	0-20	N		\$2.75	\$2.72	\$2.75	\$2.75	1.10%
1	T1019	U8	Personal Care Services, per 15 minutes (Administration Fee for Consumer Directed Services (CDS) option- once per month)	0-20	N		\$110.00	\$108.90	\$110.00	\$110.00	1.01%
1	T1019	U9	Personal Care Services, per 15 minutes (Behavioral Health Condition - CFC Only)	0-20	N		\$3.46	\$3.43	\$3.46	\$3.46	0.87%
1	T1019	UA	Personal Care Services, per 15 minutes (Behavioral Health Condition)	0-20	N		\$3.46	\$3.43	\$3.46	\$3.46	0.87%
1	T1019	UB	Personal Care Services, per 15 minutes (Behavioral Health Condition - CDS Option)	0-20	N		\$3.26	\$3.23	\$3.26	\$3.26	0.93%
1	T1019	UD	Personal Care Services, per 15 minutes (CFC only)	0-20	N		\$2.95	\$2.92	\$2.95	\$2.95	1.03%

*Type of Service (TOS)	
1	Medical Services
Modifier	
U3	CFC attendant care for PCS - CDS Option, each 15 minutes
U4	CFC Habilitation for PCS - CDS Option, each 15 minutes
U5	Administrative fee for PCS - CFC only; CDSA Under CDS Option, per month
U6	PCS each 15 minutes; All PCS Providers (except CDSA)
U7	Attendant fee each 15 minutes; CDSA Under CDS Option
U8	Administrative fee for PCS; CDSA Under CDS Option, per month
U9	CFC - habilitation only, or attendant and habilitation, each 15 minutes
UA	PCS each 15 minutes, with behavioral health condition; All PCS Providers* (except CDSA)
UB	PCS each 15 minutes, with behavioral health condition; CDSA Under CDS Option*
UD	CFC - attendant care only, each 15 minutes

Legislative Attachment 1 - Personal Care Services - (Proposed to be effective September 1, 2019)

TOS*	Procedure Code	Modifier	Long Description	Age Range	Non-Facility (N)/ Facility (F)	Provider Type (PT) / Provider Specialty (PS)	CURRENT		9/1/2019		Percent Change from Current Medicaid Fee
							Current Medicaid Fee	Current Adjusted Medicaid Fee	Proposed Medicaid Fee	Proposed Adjusted Medicaid Fee	

** Required Notice: The five-character code included in this notice is obtained from the Current Procedural Terminology (CPT®), copyright 2019 by the American Medical Association (AMA). CPT is developed by the AMA as a listing of descriptive terms and five character identifying codes and modifiers for reporting medical services and procedures performed by physicians. The responsibility for the content of this notice is with HHSC and no endorsement by the AMA is intended or should be implied. The AMA disclaims responsibility for any consequences or liability attributable or related to any use, nonuse or interpretation of information contained in this notice. Fee schedules, relative value units, conversion factors and/or related components are not assigned by the AMA, are not part of CPT, and the AMA is not recommending their use. The AMA does not directly or indirectly practice medicine or dispense medical services. The AMA assumes no liability for data contained or not contained.