

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

**Notice of Proposed Adjustments to Fees, Rates or
Charges for Private Duty Nursing**

**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 Private Duty Nursing. 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;

- §355.8023, which addresses the reimbursement methodology for durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS); 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 46] directed the Health and Human Services Commission (HHSC) to increase reimbursement rates for Private Duty Nursing by 2.5 percent effective September 1, 2019.

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

Att 1–Private Duty Nursing

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 - Private Duty Nursing - (Proposed to be effective September 1, 2019)

TOS*	Proce- dure Code	Mod- ifier 1	Mod- ifier 2	Long Description	Age Range	Non- Facility (N)/ Facility (F)	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	T1000	TD		Private duty/independent nursing service(s) - licensed, up to 15 minutes - Registered Nurse (RN)	0-20	N	\$8.51	\$8.51	\$8.72	\$8.72	2.50%
1	T1000	TD	UA	Private duty/independent nursing service(s) - licensed, up to 15 minutes - RN	0-20	N	\$9.78	\$9.78	\$10.02	\$10.02	2.50%
1	T1000	TE		Private duty/independent nursing service(s) - licensed, up to 15 minutes - Licensed Vocational Nurse (LVN)	0-20	N	\$5.82	\$5.82	\$5.97	\$5.97	2.50%
1	T1000	TE	UA	Private duty/independent nursing service(s) - licensed, up to 15 minutes - LVN	0-20	N	\$6.69	\$6.69	\$6.86	\$6.86	2.50%
C	T1000	TD		Private duty/independent nursing service(s) - licensed, up to 15 minutes - RN	0-20	N	\$11.05	\$11.05	\$11.33	\$11.33	2.50%
C	T1000	TD	UA	Private duty/independent nursing service(s) - licensed, up to 15 minutes - RN	0-20	N	\$12.71	\$12.71	\$13.03	\$13.03	2.50%
C	T1000	TE		Private duty/independent nursing service(s) - licensed, up to 15 minutes - LVN	0-20	N	\$8.09	\$8.09	\$8.29	\$8.29	2.50%
C	T1000	TE	UA	Private duty/independent nursing service(s) - licensed, up to 15 minutes - LVN	0-20	N	\$8.87	\$8.87	\$9.09	\$9.09	2.50%

*Type of Service (TOS)	
1	Medical Services
C	Home Health Procedure
Modifier	
TD	For home health services performed by an RN
TE	For Home health services performed by an LPN/LVN
UA	Services for clients with a tracheostomy or clients who are ventilator dependent

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