Table of Contents

State/Territory Name: Texas

State Plan Amendment (SPA) : 23-0016

This file contains the following documents in the order listed:

1) Approval Letter
2) CMS 179 Form/Summary Form (with 179-like data)
3) Approved SPA Pages
September 13, 2023

Director: Stephanie Stephens
State Medicaid/CHIP Director
Health and Human Services Commission
Mail Code: H100
Post Office Box 13247
Austin, Texas 78711

RE: Texas TN 23-0016

Dear Director: Emily Zalkovsky,

We have reviewed the proposed Texas State Plan Amendment (SPA) to Attachment 4.19-B, TX#23-0016, which was submitted to the Centers for Medicare & Medicaid Services (CMS) on June 21, 2023. The proposed amendment primarily updates the rate methodology and payment rate for STAR Kids Community First Choice (CFC) Habilitation and Attendant Care, under the Consumer Directed Services (CDS) option. Other non-substantive edits are provided for clarity.

Based upon the information provided by the State, we have approved the amendment with an effective date of June 1, 2023. We are enclosing the approved CMS-179 and a copy of the new state plan page.

If you have any additional questions or need further assistance, please contact Monica Neiman at: Monica.Neiman@cms.hhs.gov.

Sincerely,

Todd McMillion
Director
Division of Reimbursement Review

Enclosures
The proposed amendment primarily updates the rate methodology and payment rate for STAR Kids Community First Choice (CFC) Habilitation and Attendant Care, under the Consumer Directed Services (CDS) option. Other non-substantive edits are provided for clarity.
Community First Choice (CFC) Reimbursement Methodology

(a) Except as otherwise noted in the plan, State-developed fee schedule rates are the same for both government and private providers of services provided under the CFC option. The agency’s fee schedule is effective for services provided on or after June 1, 2023. All rates are published at: https://pfd.hhs.texas.gov/ and http://public.tmhp.com/FeeSchedules/StaticFeeSchedule/FeeSchedules.aspx.

(b) State Plan CFC Services: Rates are established using pre-existing rates from other programs.

(1) STAR+PLUS Personal Assistance Services (PAS) CFC, STAR+PLUS Habilitation CFC, and STAR Kids Habilitation and Attendant Care CFC: Rates will be equal to a weighted average of rates established for Community Living Assistance and Support Services (CLASS) waiver habilitation services according to the reimbursement methodology for the CLASS waiver program and proxy rates for attendant services used in the calculation of the STAR+PLUS managed care capitation rates for the Home and Community-based Services (HCBS) risk group. The weighted average will include applicable attendant compensation rate enhancements. The fee schedule for STAR+PLUS PAS, STAR+PLUS Habilitation, and STAR Kids Habilitation and Attendant Care was revised and posted on the agency website on September 1, 2019.

(A) Proxy rates are equal to rates established for attendant services under the Community Based Alternatives (CBA) waiver prior to its termination, updated for changes in allowable reported expenses and units of service.

(B) Weighting factors assume that 30 percent of personal attendant services historically provided to existing recipients in the STAR+PLUS HCBS risk group and 100 percent of personal attendant services provided to newly eligible recipients under CFC will be for habilitation.

(C) CLASS waiver habilitation rates and proxy rates for CBA waiver attendant services are current as of September 1, 2019.

(2) CLASS Habilitation CFC: Rates will be equal to rates established for CLASS waiver habilitation services, including applicable attendant compensation rate enhancements, according to the reimbursement methodology for the CLASS waiver program. The fee schedule for CLASS waiver habilitation rates was revised and posted on the agency website on September 1, 2015.
Community First Choice (CFC) Reimbursement Methodology (continued)

(3) Deaf-Blind with Multiple Disabilities (DBMD) Residential Habilitation CFC: Rates will be equal to rates established for DBMD waiver residential habilitation services, including applicable attendant compensation rate enhancements, according to the reimbursement methodology for the DBMD waiver program. The fee schedule for DBMD waiver residential habilitation rates was revised and posted on the agency website on September 1, 2019.

(4) Home and Community-Based Services (HCS) Supported Home Living (SHL) CFC: Rates will be equal to rates established for HCS waiver SHL transportation services, including applicable attendant compensation rate enhancements, according to the reimbursement methodology for the HCS waiver program. The HCS waiver SHL transportation rate fee schedule was revised and posted on the agency website on September 1, 2015.

(5) Texas Home Living (TxHmL) Community Support Services (CSS) CFC: Rates will be equal to rates established for TxHmL waiver CSS transportation, including applicable attendant compensation rate enhancements, according to the reimbursement methodology for the TxHmL waiver program. The TxHmL waiver CSS transportation rates fee schedule was revised and posted on the agency website on September 1, 2015.

(6) Personal Care Services (PCS) Attendant Care CFC: Rates will be equal to rates established for Early and Periodic Screening, Diagnosis and Treatment (EPSDT) PCS attendant services according to Item 32 of Attachment 4.19-B of this State plan. The PCS attendant services fee schedule was revised and posted on the agency website on September 1, 2019.

(7) PCS Habilitation CFC: Rates will be equal to rates established for EPSDT PCS services for recipients with a behavioral health condition according to Item 32 of Attachment 4.19-B of this State plan. The PCS behavioral services rates fee schedule was revised and posted on the agency website on September 1, 2019.

(8) CFC Consumer Directed Services (CDS): The rates for CFC services included in the CDS option provide the funds available to the consumers participating in CDS. These rates are modeled and based on the rates paid to contracted agencies for providing services through the agency option. The fee schedules for CDS rates for all CFC services were revised and posted on the agency website on September 1, 2019. The STAR Kids CFC Habilitation and Attendant Care CDS rate, effective June 1, 2023, was revised further and will be posted on the agency website by September 1, 2023.