



Date: June 24, 2022

To: Assisted Living Providers
Community First Choice (CFC) Providers
Community Living Assistance and Support Services (CLASS)
Deaf-Blind with Multiple Disabilities (DBMD)
Home and Community-Based Services (HCS)
Home and Community-based Services (HCBS) – Adult Mental Health Providers
Primary Home Care and Community Attendant Services (PHC/CAS)
Texas Home Living (TxHmL)
STAR+PLUS Day Activity and Health Services (DAHS)
STAR Kids Adult Day Care Providers
STAR+PLUS Home and Community-Based Services (HCBS) and Non-HCBS Providers
STAR Kids and STAR Health Medically Dependent Children Program (MDCP) and Non-MDCP Providers
Consumer Directed Services Providers
Financial Management Services Agencies

Subject: Information Letter No. 2022-30 American Rescue Plan Act (ARPA) Home and Community-Based Services (HCBS) Provider Retention Payments **REVISED**

The Texas Health and Human Services Commission (HHSC) is implementing the American Rescue Plan Act (ARPA) Home and Community-Based Services (HCBS) Provider Retention payments, a part of the [HHSC ARPA HCBS Spending Plan](#).

To implement the ARPA HCBS Provider Retention Payments, HHSC is providing funds through a temporary add-on to agency providers and consumer-directed services employers to support recruitment and retention efforts for direct care staff delivering HCBS services. Eligible providers can use the temporary add-on to provide one-time financial compensation directed toward direct care staff, including lump-sum bonuses, retention bonuses, and paid time off to receive a COVID-19 vaccination or to isolate after receiving a positive COVID-19 test.

Temporary rate add-on will be made on eligible HCBS service claims with dates of service between March 1, 2022, and August 31, 2022. HHSC will not include the

add-on rate in calculating the cost of services on an individual plan of care or individual service plan.

Fee Schedule and Claims Submission

A list of eligible services and a fee schedule is available on the [HHSC Provider Finance Website](#).

Required Attestation and Reporting

HHSC adopted a new rule, Title 1 Texas Administrative Code (1 TAC) [355.207](#), concerning the ARPA HCBA Provider Retention Payment, which establishes the criteria and requirements.

HHSC requires providers who deliver eligible HCBS services with service dates between March 1, 2022, and August 31, 2022, to submit an attestation, an initial report, and a final report. The attestation and initial report are due on August 15, 2022.

More information about the required attestation and reporting is available on the [HHSC Provider Finance website](#). HHSC encourages all providers to review the Frequently Asked Question document before completing the required attestation and reporting.

Consumer Directed Services (CDS) Employers and Financial Management Services Agencies (FMSA)

The CDS participant, as the employer of record, may choose to submit the required attestation and reports or work with the Financial Management Services Agency (FMSA) to submit the attestation and reports on the CDS participant's behalf. FMSAs may also reach out to the CDS participants to offer assistance in submitting the attestation and reports. FMSAs can submit the required information for multiple CDS participants in the FMSA HCBS ARPA Attestation and Initial Report Template. Pursuant to Texas Administrative Code rule 1 TAC 355.207(c)(4), to be eligible for the temporary rate add-on, providers must submit required reports regarding the use of funds and provide data to document vacancy rates in direct care staff and other indicators. If completing the attestation and reports on behalf of a CDS

participant, FMSAs should work with the CDS participant to collect all required data. The deadline for the attestation and initial reporting has been extended to August 15, 2022.

Recoupment and Reconciliation

Providers who do not submit the required attestation, initial report, and final report will be subject to recoupment of all HCBS ARPA funds. Claims will be reprocessed at the rate that was in effect prior to March 1, 2022.

Resources

HHSC published a Frequently Asked Questions document for HCBS ARPA Provider Retention payments on the [HHSC Provider Finance Website](#).

HHSC is also maintaining the [HHSC ARPA HCBS Spending Plan](#) webpage to include quarterly updates.

Please contact the HHSC Provider Finance Department, Long-term Services and Supports Customer Information Team at PF-D-LTSS@hhs.texas.gov or (512) 867-7817 if you have questions regarding the rates or this letter.

Sincerely,

[signature on file]

Samuel West
Director of Provider Finance Department for Long-term Services and Supports