

TEXAS HEALTH AND HUMAN SERVICES COMMISSION

Public Notice

The Texas Health and Human Services Commission (HHSC) is submitting an application to the Centers for Medicare & Medicaid Services (CMS) to request a new waiver under Section 1115 of the Social Security Act for a program to be called the Healthy Texas Women Section 1115 Demonstration Waiver (HTW demonstration). The proposed effective date is September 1, 2018, for a five-year period ending August 31, 2023.

In 2014, the Texas Sunset Advisory Commission reviewed the State's health agencies and recommended consolidating Texas women's health care programs to improve service and efficiency for clients and providers. In response, the Texas Legislature directed HHSC to consolidate state women's health services, and on July 1, 2016, HHSC launched the Healthy Texas Women (HTW) program. The HTW program provides women's health and family planning services at no cost to eligible, low-income Texas women. HHSC is requesting a new Section 1115 demonstration waiver for the HTW program. Through the HTW demonstration, HHSC seeks to enhance women's health care services by increasing access to and participation in the HTW program. HTW demonstration services will be made available statewide to eligible women.

The HTW demonstration will provide family planning services as well as other women's health services that contribute to preconception care and better birth outcomes. The HTW demonstration will provide the following covered services to eligible women:

- Pregnancy testing
- Pelvic examinations
- Sexually transmitted infection services
- Breast and cervical cancer screening and diagnostic services
- Clinical breast examination
- Screening and treatment for hypertension, diabetes, and high cholesterol
- Human Immunodeficiency Virus (HIV) screenings
- Long-acting reversible contraceptives
- Oral contraceptive pills
- Permanent sterilizations
- Other contraceptive methods
- Screening and treatment for postpartum depression
- Immunizations

The goals and objectives of the HTW demonstration are to:

- Increase access to women's health and family planning services to

avert unintended pregnancies, positively affect the outcome of future pregnancies, and positively impact the health and well-being of women and their families

- Increase access to preventive health care, including screening and treatment for hypertension, diabetes, and high cholesterol, to positively impact maternal health and reduce maternal mortality
- Increase access to women's breast and cervical cancer services to promote early cancer detection
- Implement the state policy to favor childbirth and family planning services that do not include elective abortions or the promotion of elective abortions within the continuum of care or services and to avoid the direct or indirect use of state funds to promote or support elective abortions
- Reduce the overall cost of publicly funded health care (including federally funded health care) by providing low-income Texans access to safe, effective services that are consistent with these goals

The HTW demonstration is for women who meet all of the following qualifications, pursuant to Title 1 of the Texas Administrative Code (TAC), Chapter 382:

- Age 15 through 44
 - A minor, age 15 through 17, must have a parent or legal guardian apply, renew, and report changes to her case on her behalf
- U.S. citizens or qualified immigrants
- Reside in Texas
- Not pregnant
- Does not currently receive benefits through a Medicaid program that provides full benefits, Children's Health Insurance Program (CHIP), or Medicare Part A or B, and does not have any other creditable health coverage
- Net family income at or below 200 percent of the federal poverty level

To provide continuity of care, women 18 through 44 years of age whose Medicaid for Pregnant Women coverage period is ending will be automatically enrolled in the HTW demonstration if they are not otherwise eligible for full Medicaid benefits, Medicare Part A or B, or CHIP, and they do not have other creditable health coverage.

A beneficiary within the current HTW program will not experience a gap in coverage and will be able to receive the same benefits previously provided under the HTW program.

The HTW demonstration will use a fee-for-service delivery model. Any Medicaid provider will be able to provide HTW demonstration covered services to HTW demonstration clients on a fee-for-service basis if they meet all HTW demonstration provider eligibility requirements. To be enrolled as an HTW demonstration provider, all providers must be enrolled in Medicaid and be compliant with Texas Human Resources Code §32.024(c-1).

HHSC estimates the following annual unduplicated enrollment and expenditures for the HTW demonstration:

Federal Fiscal Year (FFY)	Annual Unduplicated Enrollment	Annual Expenditures
2019	352,423	\$70,996,454
2020	362,182	\$76,746,972
2021	372,211	\$82,980,722
2022	382,517	\$89,738,349
2023	393,109	\$97,063,917

Given waiver approval, HHSC Center for Analytics and Decision Support will submit an evaluation plan for CMS review and approval. Program success will be measured as the degree to which the HTW demonstration maintains or improves upon the performance of predecessor programs. Subject to CMS approval, program performance evaluation parameters include provider activities, client service utilization, and estimated program savings and expenditures. HHSC hypothesizes the HTW demonstration will:

- Maintain or improve the access to and use of family planning services by women in the target population
- Maintain or improve the access to and use of other women's health services (e.g., screening and treatment for hypertension, diabetes, and high cholesterol and screening and diagnostic services for breast and cervical cancer) to women in the target population
- Maintain or reduce the number of unintended pregnancies among women enrolled in Medicaid
- Maintain or decrease the number of Medicaid and CHIP paid deliveries, which will reduce annual expenditures for prenatal, delivery, and newborn and infant care

- Maintain or reduce the cost for the Medicaid for Breast and Cervical Cancer program

Under the authority of Section 1115(a)(2) of the Social Security Act (the Act), expenditures made by Texas, which would not otherwise be included as expenditures under Section 1903 of the Act shall, for the period of this demonstration, be regarded as expenditures under the State Title XIX plan. All requirements of the Medicaid statute will be applicable to such expenditure authorities (including adherence to income and eligibility system verification requirements under Section 1137(d) of the Act), except those specified below as not applicable to these expenditure authorities. The expenditure authorities shall enable Texas to operate its Healthy Texas Women Section 1115 Demonstration Waiver.

HHSC seeks to waive the following provisions of the Social Security Act for this demonstration:

- Amount, Duration, and Scope of Services – Section 1902(a)(10)(B)
- Comparability and MAGI Methodology Sections – Section 1902(a)(17) and Section 1902(e)(14)
- Early and Periodic Screening, Diagnostic, and Treatment – Section 1902(a)(43)(A) (EPSDT)
- Retroactive Coverage – Section 1902(a)(34)
- Freedom of Provider Choice – Section 1902(a)(23)

Public Hearing Dates/Times

The public is invited to submit comments on the Healthy Texas Women Section 1115 Demonstration Waiver for a period of 30 days, beginning Friday, May 12, 2017. The public comment period will end on Monday, June 12, 2017. HHSC will host a series of meetings to provide information about the waiver application as well as an opportunity for the public to provide comments. Locations, dates and times are as follows:

Location	Date	Time
Texas Health and Human Services Commission, Brown-Heatly Building Public Hearing Room 4900 North Lamar Boulevard Austin, TX 78751 (webcast available at this meeting)	May 15, 2017	1 p.m. to 4 p.m. CDT
Mahon Library 1306 9 th Street Lubbock, TX 79401	June 9, 2017	9:30 a.m. to 12 p.m. CDT

HHSC will also host a webinar on May 31, 2017, at 3 p.m. To register for the online meeting go to:

<https://attendee.gotowebinar.com/register/4846365062393813505>

This is the full public notice set forth in 42 CFR § 431.408(a)(1)(i). The complete application is available online at <https://hhs.texas.gov/laws-regulations/policies-rules/waivers/healthy-texas-women-1115-waiver>. The application includes a detailed description of the waiver program, including: eligibility, benefits, delivery system, payment rates, implementation, financing and budget neutrality, and proposed waiver and expenditure authorities.

To obtain free copies of the application, submit comments, or receive other information about the application, interested parties may contact Sallie Allen by mail at Texas Health and Human Services Commission, PO Box 13247, Mail Code H-600, Austin, Texas 78711-3247, phone (512) 424-6969, fax (512) 730-7472, or by email at TX_Medicaid_Waivers@hhsc.state.tx.us.

People requiring Americans with Disabilities Act accommodation, auxiliary aids or services should call Sallie Allen (512) 424-6969 at least 72 hours before the meeting so appropriate arrangements can be made.