



# **Funds Recouped from Local Authorities in Fiscal Year 2020**

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**As Required by  
General Appropriations Act,  
House Bill 1, 86th Legislature,  
Regular Session, 2019 (Article  
II, Health and Human Services  
Commission, Rider 145)**

**Health and Human Services  
Commission**

**December 2020**



**TEXAS**  
Health and Human  
Services

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# 1. Introduction

The 2020-21 General Appropriations Act, House Bill (H.B.) 1, 86th Legislature, Regular Session, 2019 (Article II, Health and Human Services Commission [HHSC], Rider 145) requires HHSC to submit a report on funds recouped from local authorities to the Legislative Budget Board and the Governor by December 15, 2020. The report must include:

- The amount of the recoupment by strategy;
- The reasons for the recoupment;
- The local authorities involved;
- Any contract requirements not met; and
- The purposes of the reallocation.

The term “local authorities” includes local intellectual and developmental disability authorities (LIDDAs) governed by Health and Safety Code Chapter 533A and local mental health and behavioral health authorities (LMHAs/LBHAs) governed by Health and Safety Code Chapter 533. In fiscal year 2020, HHSC contracted with 41 local authorities<sup>1</sup> to deliver intellectual and developmental disability (IDD) and mental health services throughout Texas.

HHSC assesses local authority performance and provides support and technical assistance to aid local authorities in addressing obstacles to meeting contract performance standards. As necessary, during each contract term, HHSC recoups funds from local authorities when performance standards are not met. Upon notification of contract noncompliance and HHSC’s intention to recoup funds, local authorities may choose to engage in an appeal process with HHSC.

On March 13, 2020, Governor Greg Abbott declared a state of disaster for all Texas counties due to Coronavirus Disease (COVID-19). Because of the Governor’s disaster declaration, HHSC notified all local authorities on March 20, 2020, of its intent to suspend certain contract actions associated with failure to achieve

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<sup>1</sup> Of the total 41 contracted authorities, 37 serve as both an LMHA or LBHA and a LIDDA. Two authorities serve only as an LMHA or LBHA and two authorities serve only as a LIDDA.

performance measures. HHSC will be assessing the timeline for resuming these actions following the end of the federally declared public health emergency.

## **Data Limitations and Context**

This report uses fiscal year 2020 data. Reallocation data is not included in this report because no funding recouped in fiscal year 2020 has been reallocated for fiscal year 2021. This report does not address recovery of lapsed funds, which are considered overpayment refunds and not recoupments.

## 2. Recoupment and Assessment

### Local Mental Health and Behavioral Health Authorities

In fiscal year 2020, HHSC contracted with 39 LMHAs/LBHAs to deliver mental health services in communities across Texas. HHSC reviews LMHA/LBHA performance measure achievement and recoups funds for performance semi-annually. Review and determination of the first half of fiscal year 2020 performance occurred in mid to late April, after HHSC notified LMHAs/LBHAs of its intent to suspend certain contract actions for failure to achieve performance measures. Therefore, HHSC did not recoup funds from LMHAs/LBHAs for not meeting contractual performance measures due to the impact of COVID-19 on service delivery statewide.

### Local Intellectual and Developmental Disability Authorities

In fiscal year 2020, HHSC contracted with 39 LIDDAs to deliver IDD services in communities across Texas. HHSC recouped \$51,000 from 19 LIDDAs for not meeting contractual performance measures prior to the Governor's disaster declaration.

Unmet measures and the reasons why LIDDAs did not meet the measures are as follows:

- Non-Medicaid IDD Community Services: Corrective Action Plan (CAP) Non-Compliance
- Non-Medicaid IDD Community Services: Single Audit Non-Compliance
- Access and Intake Long Term Services and Supports: Community Living Option Information Process
- Access and Intake Long Term Services and Supports: Home and Community-based Services Enrollment
- Access and Intake Long Term Services and Supports: Permanency Planning
- Access and Intake Long Term Services and Supports: Preadmission Screening and Resident Review Evaluation Completion

**Table 1. LIDDA Funds Recouped for Fiscal Year 2020**

<b>LIDDA</b>	<b>Strategy</b>	<b>Unmet Performance Measure</b>	<b>Amount Recouped</b>
<b>Nueces County MHMR Community Center dba Behavioral Health Center of Nueces County</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>Pecan Valley MHMR Region dba Pecan Valley Centers for Behavioral and Developmental Healthcare</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00
<b>Pecan Valley MHMR Region dba Pecan Valley Centers for Behavioral and Developmental Healthcare</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>The Gulf Coast Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$2,000.00
<b>Texana Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$2,000.00

<b>LIDDA</b>	<b>Strategy</b>	<b>Unmet Performance Measure</b>	<b>Amount Recouped</b>
<b>Texana Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$2,000.00
<b>Permian Basin Community Centers for MHMR dba Permiacare</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>Burke Center dba Burke</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>Central Texas MHMR Center dba Center for Life Resources</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>Austin Travis County MHMR Center dba Integral Care</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$2,000.00
<b>Burke Center dba Burke</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00

<b>LIDDA</b>	<b>Strategy</b>	<b>Unmet Performance Measure</b>	<b>Amount Recouped</b>
<b>Andrews Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00
<b>MHMR Authority of Brazos Valley</b>	F.1.3.-Non-Medicaid Intellectual and Developmental Disability (IDD) Community Services	Corrective Action Plan Non-Compliance	\$4,000.00
<b>Gulf Bend MHMR Center dba Gulf Bend Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>MHMR Authority of Brazos Valley</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>MHMR Authority of Brazos Valley</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00
<b>Hill Country Community MHMR Center dba Hill Country MHDD Centers</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$2,000.00



<b>LIDDA</b>	<b>Strategy</b>	<b>Unmet Performance Measure</b>	<b>Amount Recouped</b>
<b>Texana Center</b>	F.1.3.-Non-Medicaid Intellectual and Developmental Disability (IDD) Community Services	Corrective Action Plan Non-Compliance	\$2,000.00
<b>Dallas County MHMR Center dba Metrocare Services</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$3,000.00
<b>Dallas County MHMR Center dba Metrocare Services</b>	F.1.3.-Non-Medicaid Intellectual and Developmental Disability (IDD) Community Services	Corrective Action Plan Non-Compliance	\$3,000.00
<b>Dallas County MHMR Center dba Metrocare Services</b>	F.1.3.-Non-Medicaid Intellectual and Developmental Disability (IDD) Community Services	Single Audit Non-Compliance	\$3,000.00
<b>Texoma Community Center</b>	F.1.3.-Non-Medicaid Intellectual and Developmental Disability (IDD) Community Services	Corrective Action Plan Non-Compliance	\$1,000.00
<b>Central Texas MHMR Center dba Center for Life Resources</b>	F.1.3.-Non-Medicaid Intellectual and Developmental Disability (IDD) Community Services	Corrective Action Plan Non-Compliance	\$1,000.00

<b>LIDDA</b>	<b>Strategy</b>	<b>Unmet Performance Measure</b>	<b>Amount Recouped</b>
<b>The Gulf Coast Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$2,000.00
<b>Pecan Valley MHMR Region dba Pecan Valley Centers for Behavioral and Developmental Healthcare</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00
<b>Pecan Valley MHMR Region dba Pecan Valley Centers for Behavioral and Developmental Healthcare</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>Human Services of Southeast Texas, Inc. dba Spindletop Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$3,000.00
<b>Nueces County MHMR Community Center dba Behavioral Health Center of Nueces County</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00

<b>LIDDA</b>	<b>Strategy</b>	<b>Unmet Performance Measure</b>	<b>Amount Recouped</b>
<b>Nueces County MHMR Community Center dba Behavioral Health Center of Nueces County</b>	I.2.1.-Access and Intake Long Term Services and Supports	Preadmission Screening and Resident Review Evaluation Completion	\$1,000.00
<b>Abilene Regional MHMR Center dba Betty Hardwick Center</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00
<b>Camino Real Community MHMR Center dba Camino Real Community Services</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00
<b>Central Counties Center for MHMR Services dba Central Counties Services</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00
<b>Collin County MHMR Center dba LifePath Systems</b>	I.2.1.-Access and Intake Long Term Services and Supports	Home and Community-based Services Enrollment	\$1,000.00

## **List of Acronyms**

<b>Acronym</b>	<b>Full Name</b>
HHSC	Health and Human Services Commission
IDD	Intellectual and Developmental Disability
LBHA	Local Behavioral Health Authority
LIDDA	Local Intellectual and Developmental Disability Authority
LMHA	Local Mental Health Authority