

By: \_\_\_\_\_ .B. No. \_\_\_\_\_

Substitute the following for \_\_\_\_B. No. \_\_\_\_\_:

By: \_\_\_\_\_ C.S. \_\_\_\_B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to making emergency supplemental appropriations and  
3 providing direction and transfer authority regarding certain  
4 appropriations.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID  
7 ACUTE CARE AND CERTAIN TRANSFERS. (a) In addition to amounts  
8 previously appropriated for the state fiscal biennium ending August  
9 31, 2013, the amount of \$3,163,515,906 is appropriated out of the  
10 general revenue fund for the state fiscal year ending August 31,  
11 2013, to the Health and Human Services Commission under Goal B,  
12 Medicaid, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd  
13 Legislature, Regular Session, 2011 (the General Appropriations  
14 Act), for the purpose of providing acute care services under the  
15 Medicaid program.

16 (b) In addition to amounts previously appropriated for the  
17 state fiscal biennium ending August 31, 2013, the amount of  
18 \$265,316,377 is appropriated out of general revenue account number  
19 5040, Tobacco Settlement, for the state fiscal year ending August  
20 31, 2013, to the Health and Human Services Commission under Goal B,  
21 Medicaid, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd  
22 Legislature, Regular Session, 2011 (the General Appropriations  
23 Act), for the purpose of providing acute care services under the  
24 Medicaid program.

1 (c) In addition to amounts previously appropriated for the  
2 state fiscal biennium ending August 31, 2013, the amount of  
3 \$4,977,267,717 is appropriated out of federal funds for the state  
4 fiscal year ending August 31, 2013, to the Health and Human Services  
5 Commission under Goal B, Medicaid, as listed in Chapter 1355 (H.B.  
6 1), Acts of the 82nd Legislature, Regular Session, 2011 (the  
7 General Appropriations Act), for the purpose of providing acute  
8 care services under the Medicaid program.

9 (d) Notwithstanding any limitation on transfer among items  
10 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts  
11 of the 82nd Legislature, Regular Session, 2011 (the General  
12 Appropriations Act), the Health and Human Services Commission may  
13 transfer for the state fiscal year ending August 31, 2013, any  
14 amount appropriated under Subsection (a), (b), or (c) of this  
15 section among the following strategies specified in Chapter 1355  
16 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011 (the  
17 General Appropriations Act), in the appropriations to the  
18 commission:

- 19 (1) C.1.1, CHIP;
- 20 (2) C.1.4, CHIP Perinatal Services; and
- 21 (3) C.1.5, CHIP Vendor Drug Program.

22 (e) Notwithstanding any limitation on transfer among items  
23 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts  
24 of the 82nd Legislature, Regular Session, 2011 (the General  
25 Appropriations Act), the Health and Human Services Commission may  
26 transfer for the state fiscal year ending August 31, 2013, any  
27 amount appropriated under Subsection (a) or (c) of this section to

1 the Department of Aging and Disability Services and among the  
2 following strategies specified in that Act in the appropriations to  
3 the department:

- 4 (1) A.2.1, Primary Home Care;
- 5 (2) A.2.2, Community Attendant Services;
- 6 (3) A.2.3, Day Activity and Health Services (DAHS);
- 7 (4) A.3.1, Community-based Alternatives (CBA);
- 8 (5) A.3.2, Home and Community-based Services (HCS);
- 9 (6) A.3.3, Community Living Assistance and Support  
10 Services (CLASS);
- 11 (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
- 12 (8) A.3.5, Medically Dependent Children Program  
13 (MDCP);
- 14 (9) A.3.7, Texas Home Living Waiver;
- 15 (10) A.5.1, Program of All-Inclusive Care for the  
16 Elderly (PACE);
- 17 (11) A.6.1, Nursing Facility Payments;
- 18 (12) A.6.2, Medicare Skilled Nursing Facility;
- 19 (13) A.6.3, Hospice;
- 20 (14) A.6.4, Promoting Independence by Providing  
21 Community-based Services;
- 22 (15) A.7.1, Intermediate Care Facilities - for  
23 Persons w/ MR (ICF/MR); and
- 24 (16) A.8.1, State Supported Living Centers.

25 (f) An amount transferred to a strategy under Subsection (d)  
26 or (e) of this section may not exceed the sum of the amounts  
27 transferred from that item of appropriation for cash flow purposes

1 made under the following provisions in Chapter 1355 (H.B. 1), Acts  
2 of the 82nd Legislature, Regular Session, 2011 (the General  
3 Appropriations Act):

4 (1) Section 10 of Special Provisions Relating to All  
5 Health and Human Services Agencies;

6 (2) Rider 12 to the bill pattern of the appropriations  
7 to the Health and Human Services Commission; and

8 (3) Rider 19 to the bill pattern of the appropriations  
9 to the Health and Human Services Commission.

10 SECTION 2. HEALTH AND HUMAN SERVICES COMMISSION: CHIP. (a)  
11 In addition to amounts previously appropriated for the state fiscal  
12 biennium ending August 31, 2013, the amount of \$74,683,623 is  
13 appropriated for the state fiscal year ending August 31, 2013, out  
14 of general revenue account number 5040, Tobacco Settlement, to the  
15 Health and Human Services Commission under Goal C, CHIP Services,  
16 as listed in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature,  
17 Regular Session, 2011 (the General Appropriations Act), for the  
18 purpose of providing services under the CHIP program.

19 (b) In addition to amounts previously appropriated for the  
20 state fiscal biennium ending August 31, 2013, the amount of  
21 \$187,456,156 is appropriated for the state fiscal year ending  
22 August 31, 2013, out of federal funds to the Health and Human  
23 Services Commission under Goal C, CHIP Services, as listed in  
24 Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular  
25 Session, 2011 (the General Appropriations Act), for the purpose of  
26 providing services under the CHIP program.

27 SECTION 3. DEPARTMENT OF AGING AND DISABILITY SERVICES:

1 MEDICAID LONG-TERM CARE AND CERTAIN TRANSFERS. (a) In addition to  
2 amounts previously appropriated for the state fiscal biennium  
3 ending August 31, 2013, the amount of \$1,019,065,242 is  
4 appropriated out of the general revenue fund for the state fiscal  
5 year ending August 31, 2013, to the Department of Aging and  
6 Disability Services under Strategy A.6.1, Nursing Facility  
7 Payments, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd  
8 Legislature, Regular Session, 2011 (the General Appropriations  
9 Act), for the purpose of providing long-term care services under  
10 the Medicaid program.

11 (b) In addition to amounts previously appropriated for the  
12 state fiscal biennium ending August 31, 2013, the amount of  
13 \$1,484,780,561 is appropriated out of federal funds for the state  
14 fiscal year ending August 31, 2013, to the Department of Aging and  
15 Disability Services under Strategy A.6.1, Nursing Facility  
16 Payments, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd  
17 Legislature, Regular Session, 2011 (the General Appropriations  
18 Act), for the purpose of providing long-term care services under  
19 the Medicaid program.

20 (c) Notwithstanding any limitation on transfer among items  
21 of appropriation that is prescribed by Chapter 1355 (H.B. 1), Acts  
22 of the 82nd Legislature, Regular Session, 2011 (the General  
23 Appropriations Act), the Department of Aging and Disability  
24 Services for the state fiscal year ending August 31, 2013, may  
25 allocate the additional amount appropriated under Subsections (a)  
26 and (b) of this section among the following strategies specified in  
27 Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular

1 Session, 2011 (the General Appropriations Act), in the  
2 appropriations to the department:

- 3 (1) A.2.1, Primary Home Care;
- 4 (2) A.2.2, Community Attendant Services;
- 5 (3) A.2.3, Day Activity and Health Services (DAHS);
- 6 (4) A.3.1, Community-based Alternatives (CBA);
- 7 (5) A.3.2, Home and Community-based Services (HCS);
- 8 (6) A.3.3, Community Living Assistance and Support  
9 Services (CLASS);
- 10 (7) A.3.4, Deaf-Blind Multiple Disabilities (DBMD);
- 11 (8) A.3.5, Medically Dependent Children Program  
12 (MDCP);
- 13 (9) A.3.7, Texas Home Living Waiver;
- 14 (10) A.5.1, Program of All-Inclusive Care for the  
15 Elderly (PACE);
- 16 (11) A.6.1, Nursing Facility Payments;
- 17 (12) A.6.2, Medicare Skilled Nursing Facility;
- 18 (13) A.6.3, Hospice;
- 19 (14) A.6.4, Promoting Independence by Providing  
20 Community-based Services;
- 21 (15) A.7.1, Intermediate Care Facilities - for Persons  
22 w/ MR (ICF/MR); and
- 23 (16) A.8.1, State Supported Living Centers.

24 SECTION 4. TEXAS EDUCATION AGENCY: FOUNDATION SCHOOL  
25 PROGRAM. (a) In addition to amounts previously appropriated for  
26 the state fiscal biennium ending August 31, 2013, the amount of  
27 \$317,000,000 is appropriated out of general revenue account number

1 0193, Foundation School, for the state fiscal year ending August  
2 31, 2013, to the Texas Education Agency under Strategy A.1.1, FSP -  
3 Equalized Operations, as listed in Chapter 1355 (H.B. 1), Acts of  
4 the 82nd Legislature, Regular Session, 2011 (the General  
5 Appropriations Act), for the purpose of providing for the  
6 Foundation School Program.

7 (b) In addition to amounts previously appropriated for the  
8 state fiscal biennium ending August 31, 2013, the amount of  
9 \$313,000,000 is appropriated for the state fiscal year ending  
10 August 31, 2013, out of Fund 0666, Appropriated Receipts (revenue  
11 from school districts subject to recapture), to the Texas Education  
12 Agency under Strategy A.1.1, FSP - Equalized Operations, as listed  
13 in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular  
14 Session, 2011 (the General Appropriations Act), for the purpose of  
15 providing for the Foundation School Program.

16 (c) Notwithstanding Rider 3 to the bill pattern of the  
17 appropriations to the Texas Education Agency in Chapter 1355 (H.B.  
18 1), Acts of the 82nd Legislature, Regular Session, 2011 (the  
19 General Appropriations Act), the sum certain appropriation to the  
20 Foundation School Program for the state fiscal year ending August  
21 31, 2013, is increased by the amount of \$630,000,000.

22 SECTION 5. TEXAS EDUCATION AGENCY: CERTAIN APPROPRIATIONS.  
23 Contingent on the enactment and becoming law of H.B. 1026 or similar  
24 legislation of the 83rd Legislature, Regular Session, 2013,  
25 relating to the established schedule of payments from the  
26 foundation school fund of the yearly entitlement of certain school  
27 districts:

1           (1) there is appropriated to the Texas Education  
2 Agency from general revenue account number 0193, Foundation School,  
3 \$1,750,000,000 for the state fiscal year ending August 31, 2013,  
4 for payment of the installment to be paid on or before August 30,  
5 2013, as provided by Sections 42.259(c-1) and (d-1), Education  
6 Code, as added by that legislation; and

7           (2) notwithstanding Rider 3 to the bill pattern of the  
8 appropriations to the Texas Education Agency in Chapter 1355 (H.B.  
9 1), Acts of the 82nd Legislature, Regular Session, 2011 (the  
10 General Appropriations Act), the sum certain appropriation to the  
11 Foundation School Program for the state fiscal year ending August  
12 31, 2013, is increased by the amount of \$1,750,000,000 in addition  
13 to the amount by which that sum certain appropriation is increased  
14 in accordance with Section 4(c) of this Act.

15           SECTION 6. TEXAS PUBLIC FINANCE AUTHORITY: APPROPRIATION  
16 REDUCTION. The amounts of the unencumbered appropriations made  
17 from the general revenue fund for the state fiscal biennium ending  
18 August 31, 2013, to the Texas Public Finance Authority by Chapter  
19 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011  
20 (the General Appropriations Act), under Strategy A.2.2, Bond Debt  
21 Service Payments, are reduced by \$3,000,000.

22           SECTION 7. EFFECTIVE DATE. This Act takes effect  
23 immediately as provided for a general appropriations act under  
24 Section 39, Article III, Texas Constitution.