

Direct Care Staff Compensation Rate Enhancement Enrollment Contract Amendment Instructions for the Open Enrollment Period And Nursing Facility Liability Insurance Attestation For State Fiscal Year 2024

Open Enrollment Period: July 1, 2023 - 31, 2023

The Texas Health and Human Services Commission (HHSC) announces Open Enrollment for the state fiscal year 2024 Direct Care Staff Compensation Rate Enhancement Program in accordance with Title 1 of the Texas Administrative Code (1 TAC) Section 355.308.

The Direct Care Staff Compensation Rate Enhancement program is a voluntary program for HHSC contracted nursing facilities. Participating providers receive increased funding to incentivize increased compensation, including increased wages and benefits, for direct care staff to include registered nurses (RNs), licensed vocational nurses (LVNs), medication aides, and certified nurse aides. Participating providers agree to spend the increased funds to meet program spending requirements, or they will be subject to recoupment.

Open enrollment for the state fiscal year 2024 Direct Care Staff Compensation Rate Enhancement Program will be open from July 1, 2023 until July 31, 2023.

GENERAL ENROLLMENT INFORMATION/INSTRUCTIONS

Open Enrollment Information and Resources.

The 2024 Rate Enhancement webpage is an important tool. All Open Enrollment forms, worksheets, and instructions can be accessed from the website, [here](#).

Changes to the HHSC Open Enrollment Portal for Username and Password

Before logging into the HHSC Open Enrollment Portal, a username and password are required. Login instructions are posted to 2024 Rate Enhancement program webpage link provided above.

Notification

All providers contracted to HHSC for eligible services receive an Enrollment Notification. A copy of the notification can be found on the 2024 Rate Enhancement program webpage link provided above.

ENROLLMENT CONTRACT AMENDMENT (ECA)

ECA Requirements

To enroll, contracted providers must properly complete the ECA on the [HHSC Open Enrollment Portal](#) by July 31, 2023, at 5:00 pm (CST) HHSC PFD will not accept requests after the deadline.

A properly completed ECA must:

1. Have a checkmark in either the "Yes, this facility chooses to enroll" or the "No, this facility chooses not to enroll" box;
2. Verify the fiscal year-end for the entity. If incorrect, [email the PFD Help Desk](#) to have the information verified and corrected; and
3. Reflect the correct 9-digit contract number for the provider.

Roll-Over and Level Requests

Providers checking the "Yes, this facility chooses to enroll" box must indicate their chosen Level number in the "Level" box. Please note that Level 0 is not an option. In addition, levels are awarded within available funds. Therefore, a provider may not be awarded the requested level.

- Level 27 is the highest enhancement level that any contract may request.

Any provider who has not submitted their properly completed ECA to HHSC PFD by 5:00 pm (CST) on July 31, 2023, will continue at the current Level of

Participation in effect during the open enrollment period, within available funds. This continued enrollment provision is called "roll-over" enrollment. Participating providers can confirm their current level of participation, on the 2023 Enrollment Levels Awarded webpage, [here](#).

Pursuant to the 2024-25 General Appropriations Act, House Bill 1, 88th Legislature, Regular Session, 2023, Article II, Rider 24, HHSC was appropriated funding to provide nursing facility reimbursement rate increases that will increase the wages and benefits of direct care staff. HHSC is required to implement the rate increases in a manner that will enable HHSC to ensure that at least 90 percent of the funds are expended for the benefit of direct care staff wages and benefits. HHSC will be proposing Texas Administrative Code amendments to outline the requirements of the reimbursement rate increases. Providers are encouraged to consider the increase in funding, the required spending requirements for both the direct care spending requirement and the Rate Enhancement program spending requirement, and the potential for recoupments for failure to meet the spending requirements when determining their requested Rate Enhancement level during open enrollment.

HHSC published proposed rates in accordance with Rider 24, available [here](#).

HHSC encourages providers to utilize these rates instead of the fee schedules for calculations on the 2024 Open Enrollment Worksheets available [here](#).

ENROLLMENT WORKSHEETS AND INSTRUCTIONS

Enrollment Worksheets and Instructions can help determine the appropriate level of enrollment for the current spending levels. These resources are available on the 2024 Rate Enhancement program webpage, [here](#).

TRAINING

PFD has created an Open Enrollment Video to explain the Direct Care Staff Compensation Rate Enhancement requirements. This video can be found on the 2024 Rate Enhancement webpage link provided above.

Click on "Open Enrollment Video" to access the Video.

DEADLINE

All enrollment status changes through the HHSC Open Enrollment Portal must be received by HHSC Provider Finance Department (PFD) **by July 31, 2023, at 5:00 pm (CST)**. *No faxes, mail, or emails will be accepted.*

AWARDED LEVELS

After September 15, 2023, HHSC PFD will post a list of contracted providers and their enrollment status (i.e., nonparticipant or participant and associated awarded level) on the 2024 Rate Enhancement webpage link provided above. The associated level rate add-on will be effective September 1, 2023.

This "Participation Status – Levels Awarded" list located on the 2024 Rate Enhancement webpage for the program will be the only notification of enrollment status provided by HHSC.

LIABILITY INSURANCE RATE ADD-ONS

All nursing facility providers must complete a Nursing Facility Liability Insurance attestation during an open enrollment period between July 1, 2023, and July 31, 2023, to receive the applicable liability insurance add-on rate for the state fiscal year 2024 (September 1, 2023, to August 31, 2024), in accordance with 1 TAC Section 355.312.

The Nursing Facility Liability Insurance attestation form must be received through the HHSC Open Enrollment Portal by **July 31, 2023, at 5:00 pm (CST)** *No faxes, mail, or emails will be accepted.* HHSC PFD will not accept requests after the deadline.

To complete the Nursing Facility Liability Insurance attestation form, please visit the HHSC PFD Open Enrollment Portal beginning July 1, 2023, at:

<https://rad-apps.hhsc.texas.gov/rfr/Login.aspx>

Please contact the HHSC Provider Finance, Long-term Services & Supports (LTSS) Center for Information and Training at PFD-LTSS@hhs.texas.gov or (737) 867-7817 if you have questions.