

2022 Local Planning & Network Development Plan

Complete and submit in **Word** format (**not PDF**) to Performance.Contracts@hhs.texas.gov no later than December 31, 2022.

All Local Mental Health Authorities and Local Behavioral Health Authorities (LMHA/LBHAs) must complete Part I, which includes baseline data about services and contracts and documentation of the LMHA/LBHA's assessment of provider availability, and Part III, which documents Planning and Network Advisory Committee (PNAC) involvement and public comment.

Only LMHA/LBHAs with interested providers are required to complete Part II, which includes procurement plans.

When completing the template:

- ◆ Be concise, concrete, and specific. Use bullet format whenever possible.
- ◆ Provide information only for the period since submission of the 2020 Local Provider Network Development Plan (LPND Plan).
- ◆ When completing a table, insert additional rows as needed.

NOTES:

- This process applies only to services funded through the Mental Health Performance Contract Notebook (PCN); it does not apply to services funded through Medicaid Managed Care. Throughout the document, data is requested only for the non-Medicaid population.
- The requirements for network development pertain only to provider organizations and complete levels of care or specialty services. Routine or discrete outpatient services and services provided by individual practitioners are governed by local needs and priorities and are not included in the assessment of provider availability or plans for procurement.

PART I: Required for all LMHA/LBHAs

Local Service Area

1) Provide the following information about your local service area. Most of the data for this section can be accessed from the following reports in Mental and Behavioral Health Outpatient Warehouse (MBOW), using data from the following report: The most recent MBOW data set regarding LMHA/LBHA Area and Population Stats (in the General Warehouse folder).

| | | | |
|-----------------------------|-------------|-------------------------------------|-----|
| ♦ Population | ♦ 1,081,899 | ♦ Number of counties (total) | ♦ 8 |
| ♦ Square miles | ♦ 6,903 | ♦ Number of urban counties | ♦ 3 |
| ♦ Population density | ♦ 1,148 | ♦ Number of rural counties | ♦ 5 |

♦ Major populations centers (add additional rows as needed):

| ♦ Name of City | ♦ Name of County | ♦ City Population | ♦ County Population | ♦ County Population Density | ♦ County Percent of Total Population |
|-----------------------|-------------------------|--------------------------|----------------------------|------------------------------------|---|
| ♦ Bastrop | ♦ Bastrop | ♦ 10,434 | ♦ 102,058 | ♦ 114.9 | ♦ 9% |

| | | | | | |
|----------------|--------------|-----------|-----------|---------|-------|
| ♦ Marble Falls | ♦ Burnet | ♦ 7,227 | ♦ 50,954 | ♦ 51.2 | ♦ 5% |
| ♦ Lockhart | ♦ Caldwell | ♦ 14,844 | ♦ 46,791 | ♦ 85.8 | ♦ 4% |
| ♦ LaGrange | ♦ Fayette | ♦ 4,648 | ♦ 24,687 | ♦ 26.0 | ♦ 2% |
| ♦ Gonzales | ♦ Gonzales | ♦ 7,098 | ♦ 19,641 | ♦ 18.4 | ♦ 2% |
| ♦ Seguin | ♦ Guadalupe | ♦ 30,902 | ♦ 177,036 | ♦ 248.9 | ♦ 16% |
| ♦ Giddings | ♦ Lee | ♦ 5,067 | ♦ 17,706 | ♦ 28.1 | ♦ 2% |
| ♦ Round Rock | ♦ Williamson | ♦ 123,876 | ♦ 643,026 | ♦ 575.0 | ♦ 59% |

Current Services and Contracts

- 2) *Complete the table below to provide an overview of current services and contracts. Insert additional rows as needed within each section.*
- 3) *List the service capacity based on the most recent MBOW data set.*
 - a) *For Levels of Care, list the non-Medicaid average monthly served. (Note: This information can be found in MBOW, using data from the following report in the General Warehouse folder: LOC (Level of Care)-A by Center (Non-Medicaid Only and All Clients).*
 - b) *For residential programs, list the total number of beds and total discharges (all clients).*

- c) For other services, identify the unit of service (all clients).
- d) Estimate the FY 2022 service capacity. If no change is anticipated, enter the same information as Column A.
- e) State the total percent of each service contracted out to external providers in 2021. In the sections for Complete Levels of Care, do not include contracts for discrete services within those levels of care when calculating percentages.

| Adult Services: Complete Levels of Care | Most recent service capacity (non-Medicaid only) | Estimated FY 2022 service capacity (non-Medicaid only) | Percent total non-Medicaid capacity provided by external providers in FY 2021* |
|--|---|---|---|
| Adult LOC 1M | 0 | 0 | 0 |
| Adult LOC 1S | 2,511 | 2,511 | 0 |
| Adult LOC 2 | 542 | 542 | 0 |
| Adult LOC 3 | 219 | 219 | 0 |
| Adult LOC 4 | 83 | 83 | 0 |
| Adult LOC 5 | 75 | 75 | 0 |

| Child and Youth Services: Complete Levels of Care | Most recent service capacity (non-Medicaid only) | Estimated FY 2022 service capacity (non-Medicaid only) | Percent total non-Medicaid capacity provided by external providers in FY 2021* |
|--|---|---|---|
| Children's LOC 1 | 56 | 56 | 0 |
| Children's LOC 2 | 264 | 264 | 0 |

| | | | |
|------------------|-----|-----|---|
| Children's LOC 3 | 148 | 148 | 0 |
| Children's LOC 4 | 3 | 3 | 0 |
| Children's LOCYC | 7 | 7 | 0 |
| Children's LOC 5 | 26 | 26 | 0 |

| Crisis Services | FY 2021 service capacity | Estimated FY 2022 service capacity | Percent total capacity provided by external providers in FY 2021* |
|---|---------------------------------|---|--|
| Crisis Hotline | 11,984 calls | 11,984 calls | 100 |
| Mobile Crisis Outreach Team | 13,199 episodes | 13,199 episodes | 0 |
| Extended Observation Unit (not solely funded through PESC) | 5,840 bed days | 5,840 bed days | 50 |
| Diversion Center | 0 {opened 4/15/22} | 1,390 bed days | 50 |
| Private Psychiatric Bed (PPB) hospital services | 1,928 bed days | 2,269 bed days | 100 |
| Adult Crisis Respite Unit – San Gabriel (not solely funded through PESC) | 5,840 bed days | 5,840 bed days | 50 |
| Adult Crisis Respite Unit – La Esperanza – (not solely funded through PESC) | 3,650 bed days | 3,650 bed days | 50 |

| | | | |
|---|-------------------------------|----------------|----|
| Youth Therapeutic Respite Program (not PESC funded) | 0 bed days {opened 6/1/22} | 1,472 bed days | 50 |
|---|-------------------------------|----------------|----|

4) List **all** your FY 2021 Contracts in the tables below. Include contracts with provider organizations and individual practitioners for discrete services. If you have a lengthy list, you may submit it as an attachment using the same format.

- a) In the Provider column, list the name of the provider organization or individual practitioner. The LMHA/LBHA must have written consent to include the name of an individual peer support provider. For peer providers that do not wish to have their names listed, state the number of individuals (e.g., "3 Individuals").
- b) List the services provided by each contractor, including full levels of care, discrete services (such as CBT, physician services, or family partner services), crisis and other specialty services, and support services (such as pharmacy benefits management, laboratory, etc.).

| Provider Organizations | Service(s) |
|---------------------------------|-------------------------------------|
| Art Full Life Austin, PLLC | Network Provider for YES Waiver |
| Austin Lakes Hospital | Private Psychiatric Beds |
| Avail Solutions, Inc. | Crisis Hotline Call Center Services |
| Bastrop County Sheriff's Office | Mental Health Deputy Program |
| Burnet County Sheriff's Office | Mental Health Deputy Program |
| Canyon Creek Behavioral Health | Private Psychiatric Beds |
| Cedar Crest Hospital | Private Psychiatric Beds |

| | |
|---|---|
| Community Health Centers of South Central Texas | Primary Care and Dental Services |
| Complete Therapies LLC | Network Provider for YES Waiver |
| Cross Creek Hospital | Private Psychiatric Beds |
| Crave Counseling | Network Provider for YES Waiver |
| Dell Children's Medical Center | Private Psychiatric Beds |
| Dell Medical School | Physician Services |
| East Texas Behavioral Healthcare Network | Telepsychiatry and LPHA Services |
| FasPsych, LLC | Telepsychiatry |
| Georgetown Behavioral Health Institute | Private Psychiatric Beds and EOU Services |
| Guadalupe County Sheriff's Office | Mental Health Deputy Program |
| Harth Foundation YES Waiver | Network Provider for YES Waiver |
| Hearts Therapeutic Riding | Network Provider for YES Waiver |
| Honey Bee Therapies LLC | Network Provider for YES Waiver |
| Inclusion Therapies LLC | Network Provider for YES Waiver |
| LabCorp | Laboratory Services |
| Laurel Ridge Treatment Center | Private Psychiatric Beds |
| Metrocare Services | On-site Pharmacy (Round Rock) |
| Music Therapy of Austin, LLC | Network Provider for YES Waiver |

| | |
|--|---|
| Oasis Acres Equine Assisted Therapy Center | Network Provider for YES Waiver |
| Peaced Together Therapies | Network Provider for YES Waiver |
| Quest Diagnostics | Laboratory Services |
| Restorative Hope Sanctuary, PLLC | Network Provider for YES Waiver |
| Rock Springs, LLC | Private Psychiatric Beds |
| Shoal Creek Hospital | Private Psychiatric Beds |
| South Texas Liberty Alliance Group, Inc. | Network Provider for YES Waiver |
| Southwestern Music Therapy | Network Provider for YES Waiver |
| Spirit Reins, Inc | Network Provider for YES Waiver |
| Strive & Inspire Development Center | Network Provider for YES Waiver |
| Texas A&M Health Science Center | Family Nurse Practitioner Services for Primary Care and Medication Assisted Treatment |
| The Hope Project | Network Provider for YES Waiver |
| The Wood Group | Paraprofessional and Respite Services for Crisis Respite Units |
| Therapy Services of Austin | Network Provider for YES Waiver |
| United Way for Greater Austin | Appointment Line Call Center Services, Rescheduling and Hospital Discharge Follow-Up Appointment Scheduling |
| Youth Advocate Programs (YAP)* | Network Provider for YES Waiver |

| Individual Practitioners | Service(s) |
|---------------------------------|---|
| Angie Jackson | Training Services |
| Brittany Lundeen | Recreation Therapy Services for YES Waiver |
| Chantel Clarke | Recreation Therapy Services for YES Waiver |
| Christi MacWilliams | Recreation Therapy Services for YES Waiver |
| David Eaton | Recreation Therapy Services for YES Waiver |
| Donna Fagan | Training Services |
| Falon Bridwell | Recreation Therapy Services for YES Waiver |
| Jeff Ripple | Training and Critical Incident Stress Management Services |
| Julia Rios | Para-Professional Services for YES Waiver |
| Keisha Brown | Crisis On Call Services |
| Krystal Lofton | Training Services |
| Lauren Reynaga | Recreation Therapy Services for YES Waiver |
| Leo Delagarza | Training Services |
| Megan West | Recreation Therapy Services for YES Waiver |
| Natasha Marin | Recreation Therapy Services for YES Waiver |
| Robert Broadhead | Recreation Therapy Services for YES Waiver |
| Sarah Fry, APNP | Psychiatric Medication Services |
| Tara Schubert | Recreation Therapy Services for YES Waiver |
| Terry Falcomata | Training Services |
| Trenton Kowalczuk | Recreation Therapy Services for YES Waiver |

Administrative Efficiencies

5) Using bullet format, describe the strategies the LMHA/LBHA is using to minimize overhead and administrative costs and achieve purchasing and other administrative efficiencies, as required by the state legislature (see Appendix C).

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| BTCS is a member of the East Texas Behavioral Health Network for shared cost savings on essential services (see below). |
| BTCS participates in Texas Council activities and pooled resources initiatives. |
| BTCS works with Tejas Health Management Association to contract with and improve reimbursement from private and managed care insurance plans and for certain IT Services (see below). |
| BTCS implemented a dedicated Primary Care electronic medical record (eClinicalWorks) in FY22 to improve automated billing, documentation efficiency, and continuity of care. |
| BTCS is actively participating in pilot projects and Alternative Payment Methodologies (APM’s) with Medicaid Managed Care Organizations. |
| BTCS actively applies for and has received grants to (a) reduce costs in areas such as transportation and (b) to expand programming to meet identified needs (from community needs assessments) without incurring new costs. |
| BTCS is a Certified Community Behavioral Health Center, implementing best-practices for quality service delivery and participating with other sites in learning collaboration calls. |
| BTCS is accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF) and National Committee for Quality Assurance (NCQA), holding ourselves to the highest standards of care. BTCS also achieved Rural Health Clinic status for our La Grange location in 2022. |
| BTCS partners with like-minded organizations – such as Community Health Centers of South Central Texas (FQHC) and The Wood Group – to address provider shortages. |
| BTCS includes indirect/overhead costs on its monthly dashboard, with the goal of ensuring this financial ratio remains below 11%. |
| BTCS participated in the 1115 Medicaid Transformation Waiver DSRIP Program through the end of September 2022. Through this initiative, we implemented 23 standardized quality measures across our service system, proven to positively impact client outcomes. |

BTCS is now participating in the two new 1115 Medicaid Waiver programs which began in FY 2022: The Directed Payment Program for Behavioral Health Services (DPP-BHS) and the Public Health Provider – Charity Care Pool (PHP-CCP). Both programs are intended to further expand outcome-based measurements for quality improvements and to decrease the shortfall in Medicaid rates compared to provider costs.

6) *List partnerships with other LMHA/LBHAs related to planning, administration, purchasing, and procurement or other authority functions, or service delivery. Include only current, ongoing partnerships.*

| Start Date | Partner(s) | Functions |
|-------------------|--|---|
| 2008 | East Texas Behavioral Health Network (Burke, ACCESS, Andrews Center, Gulf Bend Center, The Gulf Coast Center, Lakes Regional Community Center, Community Healthcore, Pecan Valley, Spindletop Center and Tri-County Behavioral Healthcare) | <p>On-demand and scheduled tele-psychiatry at a reduced rate</p> <p>LPHA authority functions / TRR Authorization Services</p> <p>Regional UM Committee functions</p> |
| 2014 | Tejas Health Management (Austin Travis County Integral Care, The Center for Health Care Services, Hill Country MHDD, Tropical Texas Behavioral Health) | <p>Learning collaborative</p> <p>Brokerage with private and MCO insurance plans to establish contracts and/or improved reimbursement rates</p> <p>IT Services, programming and products</p> |

| | | |
|-----------|---|--|
| | | Business services and consultations |
| 2017 | Metrocare Services | Onsite Lifepath Pharmacy Services and Prescription Assistance Program (PAP) management |
| 2018 | Texas Streamline User Group (TSUG) | Streamline Electronic Health Record project collaboration |
| 2018 | Border Region Behavioral Health Center, Coastal Plains Community Center, Gulf Bend Center, Hill Country MHDD | Crisis Respite Services |
| 2021 | Tropical Texas Behavioral Health | Private Psychiatric Bed Funds |
| As Needed | Any Texas Center, including Emergence Health Network in 2019, Central Counties Services in 2020-2022, and Hill Country MHDD Centers in 2022 | Disaster Assistance |

Provider Availability

NOTE: The LPND process is specific to provider organizations interested in providing full levels of care to the non-Medicaid population or specialty services. It is not necessary to assess the availability of individual

practitioners. Procurement for the services of individual practitioners is governed by local needs and priorities.

7) Using bullet format, describe steps the LMHA/LBHA took to identify potential external providers for this planning cycle. Please be as specific as possible. For example, if you posted information on your website, how were providers notified that the information was available? Other strategies that might be considered include reaching out to YES waiver providers, Home and Community Based Services (HCBS) providers, and past/interested providers via phone and email; contacting your existing network, Managed Care Organizations (MCOs), and behavioral health organizations in the local service area via phone and email; emailing and sending letters to local psychiatrists and professional associations; meeting with stakeholders, circulating information at networking events, seeking input from your PNAC about local providers.

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| BTCS shared the provider inquiry form with former HCBS-AMH Provider in our area, AllCare, on October 25, 2022 and November 9, 2022 with an invitation to express interest. |
| On October 26, 2022 BTCS invited Impact Counseling to contract for services. |
| BTCS maintains a “Contracting” tab on its website, with provider manuals outlining our goal to expand our provider network. |
| BTCS discusses contracting opportunities at area Behavioral Health Taskforce meetings and other in-person/virtual networking events. In community networking meetings since the submission of the last LPND, BTCS leadership did not encounter any organizations interested in providing full levels of care to non-Medicaid populations. This includes existing YES Waiver providers. |
| BTCS will seek input from the RPNAC about the availability of local providers on December 5, 2022 during a scheduled meeting. |

Complete the following table, inserting additional rows as needed.

- ◆ List each potential provider identified during the process described in Item 7 of this section. Include all current contractors, provider organizations that registered on the HHSC website, and provider organizations that have submitted written inquiries since submission of 2020 LPND plan. You will receive notification from HHSC if a provider expresses interest in contracting with you via the HHSC website. Provider inquiry forms will be accepted through the HHSC website through September 1, 2022. **Note:** Do not finalize your provider availability assessment or post the LPND plan for public comment before June 1, 2022.
- ◆ Note the source used to identify the provider (e.g., current contract, HHSC website, LMHA/LBHA website, e-mail, written inquiry).
- ◆ Summarize the content of the follow-up contact described in Appendix A. If the provider did not respond to your invitation within 14 days, document your actions and the provider’s response. In the final column, note the conclusion regarding the provider’s availability. For those deemed to be potential providers, include the type of services the provider can provide and the provider’s service capacity.

| Provider | Source of Identification | Summary of Follow-up Meeting or Teleconference | Assessment of Provider Availability, Services, and Capacity |
|--|---------------------------------|---|--|
| No providers have expressed interest to date | | | |
| | | | |

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|--|--|--|--|
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Part II: Required for LMHA/LBHAs with potential for network development

Procurement Plans

If the assessment of provider availability indicates potential for network development, the LMHA/LBHA must initiate procurement.

Texas Administrative Code (TAC) Title 26, Part I, Chapter 301, subchapter F describes the conditions under which an LMHA/LBHA may continue to provide services when there are available and appropriate external providers. Include plans to procure complete levels of care or specialty services from provider organizations. Do not include procurement for individual practitioners to provide discrete services.

8) Complete the following table, inserting additional rows as needed.

- ♦ Identify the service(s) to be procured. Make a separate entry for each service or combination of services that will be procured as a separate contracting unit. Specify Adult or Child if applicable.*
- ♦ State the capacity to be procured, and the percent of total capacity for that service.*
- ♦ Identify the geographic area for which the service will be procured: all counties or name selected counties.*
- ♦ State the method of procurement—open enrollment Request for Application (RFA) or request for proposal.*
- ♦ Document the planned begin and end dates for the procurement, and the planned contract start date.*

| Service or Combination of Services to be Procured | Capacity to be Procured | Method (RFA or RFP) | Geographic Area(s) in Which Service(s) will be Procured | Posting Start Date | Posting End Date | Contract Start Date |
|--|--------------------------------|----------------------------|--|---------------------------|-------------------------|----------------------------|
| No potential providers identified | | | | | | |
| | | | | | | |
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Rationale for Limitations

NOTE: Network development includes the addition of new provider organizations, services, or capacity to an LMHA/LBHA’s external provider network.

9) Complete the following table. Please review TAC Title 26, Part I §301, subchapter F carefully to be sure the rationale addresses the requirements specified in the rule (See Appendix B).

- ◆ Based on the LMHA/LBHA’s assessment of provider availability, respond to each of the following questions.
- ◆ If the response to any question is Yes, provide a clear rationale for the restriction based on one of the conditions described in TAC Title 26, Part I §301, subchapter F.
- ◆ If the restriction applies to multiple procurements, the rationale must address each of the restricted procurements or state that it is applicable to all of the restricted procurements.
- ◆ The rationale must provide a basis for the proposed level of restriction, including the volume of services to be provided by the LMHA/LBHA.

| | Yes | No | Rationale |
|---|-----|----|-----------|
| 1) Are there any services with potential for network development that are not scheduled for procurement? | | X | |
| 2) Are any limitations being placed on percentage of total capacity or volume of services external providers will be able to provide for any service? | | X | |
| 3) Are any of the procurements limited to certain counties within the local service area? | | X | |
| 4) Is there a limitation on the number of providers that will be accepted for any of the procurements? | | X | |

10) *If the LMHA/LBHA will not be procuring all available capacity offered by external contractors for one or more services, identify the planned transition period and the year in which the LMHA/LBHA anticipates procuring the full external provider capacity currently available (not to exceed the LMHA/LBHA's capacity).*

| Service | Transition Period | Year of Full Procurement |
|----------------|--------------------------|---------------------------------|
| ♦ N/A | ♦ | ♦ |
| ♦ N/A | ♦ | ♦ |

Capacity Development

11) *In the table below, document your procurement activity since the submission of your 2020 LPND Plan. Include procurements implemented as part of the LPND plan and any other procurements for complete levels of care and specialty services that have been conducted.*

- ♦ *List each service separately, including the percent of capacity offered and the geographic area in which the service was procured.*
- ♦ *State the results, including the number of providers obtained and the percent of service capacity contracted as a result of the procurement. If no providers were obtained as a result of procurement efforts, state "none."*

| Year | Procurement (Service, Percent of Capacity, Geographic Area) | Results (Providers and Capacity) |
|-------------|--|---|
| FY2021 | None procured | |
| FY2022 | None procured | |
| | | |
| | | |

PART III: Required for all LMHA/LBHAs

PNAC Involvement

12) Show the involvement of the Planning and Network Advisory Committee (PNAC) in the table below. PNAC activities should include input into the development of the plan and review of the draft plan. Briefly document the activity and the committee's recommendations.

| Date | PNAC Activity and Recommendations |
|-------------|--|
| 12/5/2022 | The RPNAC is scheduled to review the BTCS 2022 LPND. |
| | |
| | |

Stakeholder Comments on Draft Plan and LMHA/LBHA Response

Allow at least 30 days for public comment on draft plan. Do not post plans for public comment before June 1, 2022.

In the following table, summarize the public comments received on the draft plan. If no comments were received, state "None." Use a separate line for each major point identified during the public comment period, and identify the stakeholder group(s) offering the comment. Describe the LMHA/LBHA's response, which might include:

- ♦ Accepting the comment in full and making corresponding modifications to the plan;
- ♦ Accepting the comment in part and making corresponding modifications to the plan; or
- ♦ Rejecting the comment. Please explain the LMHA/LBHA's rationale for rejecting the comment.

| Comment | Stakeholder Group(s) | LMHA/LBHA Response and Rationale |
|---------|----------------------|----------------------------------|
| | | |
| | | |
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| | | |

COMPLETE AND SUBMIT ENTIRE PLAN TO Performance.Contracts@hhs.texas.gov by December 30, 2022.

Appendix A

Assessing Provider Availability

Provider organizations can indicate interest in contracting with an LMHA/LBHA through the [LPND website](#) or by contacting the LMHA/LBHA directly. On the LPND website, a provider organization can submit a Provider Inquiry Form that includes key information about the provider. HHSC will notify both the provider and the LMHA/LBHA when the Provider Inquiry Form is posted.

During its assessment of provider availability, it is the responsibility of the LMHA/LBHA to contact potential providers to schedule a time for further discussion. This discussion provides both the LMHA/LBHA and the provider an opportunity to share information so that both parties can make a more informed decision about potential procurements.

The LMHA/LBHA must work with the provider to find a mutually convenient time. If the provider does not respond to the invitation or is not able to accommodate a teleconference or a site visit within 14 days of the LMHA/LBHA's initial contact, the LMHA/LBHA may conclude that the provider is not interested in contracting with the LMHA/LBHA.

If the LMHA/LBHA does not contact the provider, the LMHA/LBHA must assume the provider is interested in contracting with the LMHA/LBHA.

An LMHA/LBHA may not eliminate the provider from consideration during the planning process without evidence that the provider is no longer interested or is clearly not qualified or capable of provider services in accordance with applicable state and local laws and regulations.

Appendix B

TAC Title 26, Part I §301, subchapter F. Conditions Permitting LMHA Service Delivery.

An LMHA may only provide services if one or more of the following conditions is present.

- (1) The LMHA determines that interested, qualified providers are not available to provide services in the LMHA's service area or that no providers meet procurement specifications.
- (2) The network of external providers does not provide the minimum level of individual choice. A minimal level of individual choice is present if individuals and their legally authorized representatives can choose from two or more qualified providers.
- (3) The network of external providers does not provide individuals with access to services that is equal to or better than the level of access in the local network, including services provided by the LMHA, as of a date determined by the department. An LMHA relying on this condition must submit the information necessary for the department to verify the level of access.
- (4) The combined volume of services delivered by external providers is not sufficient to meet 100 percent of the LMHA's service capacity for each level of care identified in the LMHA's plan.
- (5) Existing agreements restrict the LMHA's ability to contract with external providers for specific services during the two-year period covered by the LMHA's plan. If the LMHA relies on this condition, the department shall require the LMHA to submit copies of relevant agreements.
- (6) The LMHA documents that it is necessary for the LMHA to provide specified services during the two-year period covered by the LMHA's plan to preserve critical infrastructure needed to ensure continuous provision of services. An LMHA relying on this condition must:
 - (A) document that it has evaluated a range of other measures to ensure continuous delivery of services, including but not limited to those identified by the LANAC and the department at the beginning of each planning cycle;

- (B) document implementation of appropriate other measures;
- (C) identify a timeframe for transitioning to an external provider network, during which the LMHA shall procure an increasing proportion of the service capacity from external provider in successive procurement cycles; and
- (D) give up its role as a service provider at the end of the transition period if the network has multiple external providers and the LMHA determines that external providers are willing and able to provide sufficient added service volume within a reasonable period of time to compensate for service volume lost should any one of the external provider contracts be terminated.

Appendix C

House Bill 1, 87th Legislature, Regular Session, 2021 (Article II, Health and Human Services Commission Rider (139)):

Efficiencies at Local Mental Health Authorities and Intellectual Disability Authorities. The Health and Human Services Commission shall ensure that the local mental health authorities and local intellectual disability authorities that receive allocations from the funds appropriated above to the Health and Human Services Commission shall maximize the dollars available to provide services by minimizing overhead and administrative costs and achieving purchasing efficiencies. Among the strategies that should be considered in achieving this objective are consolidations among local authorities and partnering among local authorities on administrative, purchasing, or service delivery functions where such partnering may eliminate redundancies or promote economies of scale. The Legislature also intends that each state agency which enters into a contract with or makes a grant to local authorities does so in a manner that promotes the maximization of third-party billing opportunities, including to Medicare and Medicaid. Funds appropriated above to the Health and Human Services Commission in Strategies I.2.1, Long-Term Care Intake and Access, and F.1.3, Non-Medicaid IDD Community Services, may not be used to supplement the rate-based payments incurred by local intellectual disability authorities to provide waiver or ICF/IID services.