

NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

NOTICE IS HEREBY GIVEN that, in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Friday, the 8th day of April, 2022 at 9:00 o'clock a.m.** in the Commissioners' Courtroom, 1st Floor, West Wing, McLennan County Courthouse, 501 Washington, City of Waco, Texas, at which time, the subjects below will be considered and potentially acted upon.

VIDEOCONFERENCE NOTICE: A quorum of Commissioners Court will meet in person in the Commissioners' Courtroom. A limited number of the Court Members may attend remotely pursuant to Texas Government Code, Section 551.127

The opportunity to view and hear the meeting as well as the process if one wishes to address the Commissioners Court remotely is available at: <https://tx-mclennancounty.civicplus.com/1121/Commissioners-Court-Online-Meeting-Infor>

AGENDA

A. Proof of Posting of Notice

B. Moment of Silence / Invocation and Pledge

C. Public Comments

D. Additional Items for Discussion and Potential Action:


- 1. Regarding the McLennan County Local Provider Participation Fund (LPPF):
 - a. Public Hearing to Consider Creation of a McLennan County Local Provider Participation Fund ("LPPF") Program in Accordance with Section 294.101 of the Texas Health and Safety Code including the Collection of Data Required to Create the LPPF and Establish the State Fiscal Year 2022 Mandatory Payments, the Designation of Necessary Bank Accounts, the Amount of State FY 2022 Mandatory Payments to be Required of All Local Hospitals, and the Proposed Uses for the Revenue Derived from Those Mandatory Payments.
 - b. Discussion and/or Action on Setting the Mandatory Payment Rate for FY 2022
- 2. Authorization of Intergovernmental Transfers of Funds Derived from the County Health Care Provider Participation Fund to Provide the Nonfederal Share of a Supplemental Payment Program, known as Comprehensive Hospital Increase Reimbursement Program (CHIRP), Authorized under the State Medicaid Plan to Fund Payments to Medicaid Managed Care Organizations that are Dedicated for Payment to Hospitals
- 3. Authorization of Intergovernmental Transfers of Funds Derived from the County Health Care Provider Participation Fund to Provide the Nonfederal Share of a Supplemental Payment Program, known as Rural Access to Primary and Preventive Services (RAPPs), Authorized under the State Medicaid Plan to Fund Payments to Medicaid Managed Care Organizations That are Dedicated for Payment to Hospitals.

E. Executive/Closed Session

- 1. **Section 551.071 of the Government Code (V.C.T.A.):** An executive/closed session will be held so that the Commissioners Court can seek and receive legal advice from its attorneys regarding pending or threatened litigation, settlement offers, claims, or other matters for which the attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct Conflicts with the Open Meetings Act (Ch.551, Gov. Code) if necessary for a subject contained on this agenda, and advice dealing with pending litigation, administrative claims or notices, and legal effects, liabilities, and legal options including but not limited to claims arising from Opioid Litigation, Civil Rights Cases, Tort Claims, or Other Pending or Threatening Litigation
- 2. **Section 551.072 of the Government Code (V.C.T.A.):** Regarding Real Property, including, but not limited to: (1) Right-Of-Way Acquisitions re: Expansion / Repair Project/s; and/or (2) Real Estate Purchase / Sale / Transfer / Trade / Offers to Purchase, Acquisition / Value / Donations of Real Property / Leases relative to Real Property, including, but not limited to, Potential Properties for Use by County / Public Facilities & Valuation of Current Property for Trade or Sale
- 3. **Section 551.074 of the Government Code (V.C.T.A.):** Regarding Personnel Matters including but not limited to: Personnel Review / Evaluation of Commissioners Court Appointed Department Heads; Employment, Appointment, Termination, Hearing Grievances Against Employees or Public Officials; Incentive Pay; Deliberations regarding Assigning Interim Director for Maintenance of Equipment; Personnel Matters Identified in any Open Session Item if Necessary, and related matters
- 4. **Section 551.076 of the Government Code (V.C.T.A.):** Deliberations regarding Security Devices or Security Audits
- 5. **Section 551.087 of the Government Code (V.C.T.A.):** Regarding Economic Development Negotiations including, but not limited to (1) Discussion of Commercial / Financial Information Received from a Business Prospect/s; (2) Pending Negotiations / Potential Prospects and Projects; and/or (3) Discussion re: Offers of Financial or Other Incentives to Business Prospect/s
- 6. **Section 551.089 of the Government Code (V.C.T.A.):** Regarding Security Devices or Security Audits; including but not limited to (1) security assessments or deployments relating to information resources technology; (2) network security information as described by Section 2059.055(b); or (3) the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices::

F. Adjourn

Signed this 1st day of April, 2022



SCOTT M. FELTON, County Judge

STATE OF TEXAS *
COUNTY OF MCLENNAN *

I, J.A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a NOTICE OF MEETING posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted this 1st day of April, 2022.

Witness my hand and seal of office at Waco, McLennan County, Texas the 1st day of April, 2022 at 10:45 a.m.

(SEAL) J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

BY: Myrcetez Gowan-Perkins (Deputy)

Notice: Persons with disabilities in need of auxiliary aide or services may contact the County Judge's Office, (254) 757-5049, prior to the meeting date

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

FILED: **APR 08 2022**

By Myrcetez Gowan-Perkins,
Deputy

AGENDA: APRIL 8, 2022

B. Moment of Silence / Invocation and Pledge

9:01

County Judge Felton stated that at this time we will have a moment of silence. County Judge Felton then stated that we will now have the Pledge of Allegiance.

AGENDA: APRIL 8, 2022

C. Public Comments

9:01

County Judge Felton opened the floor to anyone present who wished to address the Court on County business matters. Not hearing anyone speak, County Judge Felton closed the hearing.

AGENDA: APRIL 8, 2022

D. Additional Items (If Any) for Discussion and Potential Action

1. Regarding the McLennan County Local Provider Participation Fund (LPPF):
 - a. Public Hearing to Consider Creation of a McLennan County Local Provider Participation Fund (“LPPF”) Program in Accordance with Section 294.101 of the Texas Health and Safety Code including the Collection of Data Required to Create the LPPF and Establish the State Fiscal Year 2022 Mandatory Payments, the Designation of Necessary Bank Accounts, the Amount of State FY 2022 Mandatory Payments to be Required of All Local Hospitals, and the Proposed Uses for the Revenue Derived from Those Mandatory Payments. **Hearing Held**
 - b. Discussion and/or Action on Setting the Mandatory Payment Rate for FY 2022 **Approved**
2. Authorization of Intergovernmental Transfers of Funds Derived from the County Health Care Provider Participation Fund to Provide the Nonfederal Share of a Supplemental Payment Program, known as Comprehensive Hospital Increase Reimbursement Program (CHIRP), Authorized under the State Medicaid Plan to Fund Payments to Medicaid Managed Care Organizations that are Dedicated for Payment to Hospitals **Pulled – No Action Taken**
3. Authorization of Intergovernmental Transfers of Funds Derived from the County Health Care Provider Participation Fund to Provide the Nonfederal Share of a Supplemental Payment Program, known as Rural Access to Primary and Preventive Services (RAPPs), Authorized under the State Medicaid Plan to Fund Payments to Medicaid Managed Care Organizations That are Dedicated for Payment to Hospitals. **Pulled – No Action Taken**

PUBLIC HEARING TO CONSIDER CREATION OF A MCLENNAN COUNTY LOCAL PROVIDER PARTICIPATION FUND (“LPPF”) PROGRAM IN ACCORDANCE WITH SECTION 294.101 OF THE TEXAS HEALTH AND SAFETY CODE INCLUDING THE COLLECTION OF DATA REQUIRED TO CREATE THE LPPF AND ESTABLISH THE STATE FISCAL YEAR 2022 MANDATORY PAYMENTS, THE DESIGNATION OF NECESSARY BANK ACCOUNTS, THE AMOUNT OF STATE FY 2022 MANDATORY PAYMENTS TO BE REQUIRED OF ALL LOCAL HOSPITALS, AND THE PROPOSED USES FOR THE REVENUE DERIVED FROM THOSE MANDATORY PAYMENTS

RE: THE MCLENNAN COUNTY LOCAL PROVIDER PARTICIPATION FUND (LPPF)

On this the 8 day of April, 2022, came on for consideration the matter of Regarding the McLennan County Local Provider Participation Fund (LPPF): Public Hearing to Consider Creation of a McLennan County Local Provider Participation Fund (“LPPF”) Program in Accordance with Section 294.101 of the Texas Health and Safety Code including the Collection of Data Required to Create the LPPF and Establish the State Fiscal Year 2022 Mandatory Payments, the Designation of Necessary Bank Accounts, the Amount of State FY 2022 Mandatory Payments to be Required of All Local Hospitals, and the Proposed Uses for the Revenue Derived from Those Mandatory Payments. County Judge Scott M. Felton stated at this time we will go into a Public Creation of a McLennan County Local Provider Participation Fund (“LPPF”) Program in Accordance with Section 294.101 of the Texas Health and Safety Code. Not hearing anyone, County Judge Scott M. Felton closed the Public Hearing.

ORDER APPROVING:

**ACTION ON SETTING THE MANDATORY PAYMENT
RATE FOR FY 2022**

**RE: THE MCLENNAN COUNTY LOCAL PROVIDER
PARTICIPATION FUND (LPPF)**

On this the 8 day of April, 2022, came on for consideration the matter of Discussion and/or Action on Setting the Mandatory Payment Rate for FY 2022. After discussion, Commissioner Jones made a motion to approve setting the rate at 6% and it was seconded simultaneously by Commissioner Miller and Commissioner Perry. A vote being called for, voting in favor of said motion was Judge Felton, Commissioner Smith, Commissioner Miller, Commissioner Jones and Commissioner Perry. It is ordered by the Court that said Authorization be, and the same is hereby, approved by unanimous vote

STATE OF TEXAS

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RESOLUTION

COUNTY OF McLENNAN

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**RESOLUTION SETTING THE FY 2022 RATE FOR THE McLENNAN COUNTY
HEALTH CARE PROVIDER PARTICIPATION PROGRAM**

WHEREAS, The Texas Legislature in the 84th Regular Session enacted H.B. 2809, which added Chapter 294 to the Health and Safety Code enabling McLennan County to authorize a local health care provider participation program;

WHEREAS, pursuant to Chapter 294.003 of the Health and Safety Code, the Commissioners Court has authorized the County to participate in a county health care provider participation program and establish a local provider participation fund; and

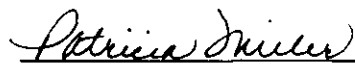
WHEREAS, pursuant to Section 294.101 of the Health and Safety Code, each year, the Commissioners Court is to hold a public hearing on the amounts of any mandatory payments that the Commissioners Court intends to require during the year and how the revenue derived from those payments is to be spent.

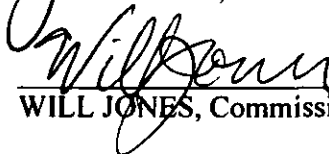
NOW THEREFORE BE IT ORDERED that Commissioners Court of McLennan County sets the amount of the mandatory payments under the McLennan County Health Care Provider Participation Program for fiscal year 2022 at 6.00% of the net patient revenue of each institutional health care provider located in McLennan County and directs that the mandatory payment revenue to be used for one or more of the purposes set forth in Section 294.103 of the Health and Safety Code.

Passed, Adopted and Approved on this 8th day of April, 2022


SCOTT M. FELTON, County Judge


JAMES SMITH, Commissioner Pct. 1

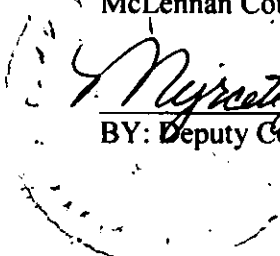

PATRICIA MILLER, Commissioner Pct. 2


WILL JONES, Commissioner Pct. 3


BEN PERRY, Commissioner Pct. 4

ATTEST:
J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas


BY: Deputy County Clerk



McLennan County LPPF

I. FY22 Proposed Rate Calculations by Facility

Facility	System	2020 Net Patient Revenue	FY22 Rate	Total Payments	Quarterly Payments
Baylor Scott & White Medical Center - Hillcrest	BSW	312,094,058	6.00%	18,725,643.00	4,681,410.75
Ascension Providence	Ascension	243,727,265	6.00%	14,623,636.00	3,655,909.00
Oceans Behavioral Hospital of Waco ¹	Oceans	3,605,504	6.00%	216,330.00	54,082.50
TOTAL		\$ 559,426,827		\$33,565,609	\$ 8,391,402.25

J.A. "ANDY" HARWELL, County Clerk
 McLennan County, Texas

FILED. **APR 08 2022**

By Myroetez Gowan-Perkins,
 Deputy

PULLED AND NO ACTION TAKEN:

AUTHORIZATION OF INTERGOVERNMENTAL TRANSFERS OF FUNDS DERIVED FROM THE COUNTY HEALTH CARE PROVIDER PARTICIPATION FUND TO PROVIDE THE NONFEDERAL SHARE OF A SUPPLEMENTAL PAYMENT PROGRAM, KNOWN AS COMPREHENSIVE HOSPITAL INCREASE REIMBURSEMENT PROGRAM (CHIRP), AUTHORIZED UNDER THE STATE MEDICAID PLAN TO FUND PAYMENTS TO MEDICAID MANAGED CARE ORGANIZATIONS THAT ARE DEDICATED FOR PAYMENT TO HOSPITALS

On this the 8 day of April, 2022, came on for consideration the matter Authorization of Intergovernmental Transfers of Funds Derived from the County Health Care Provider Participation Fund to Provide the Nonfederal Share of a Supplemental Payment Program, known as Comprehensive Hospital Increase Reimbursement Program (CHIRP), Authorized under the State Medicaid Plan to Fund Payments to Medicaid Managed Care Organizations that are Dedicated for Payment to Hospitals. Judge Felton directed the Clerk to show Item as Pulled and No Action Taken.

PULLED AND NO ACTION TAKEN:

AUTHORIZATION OF INTERGOVERNMENTAL TRANSFERS OF FUNDS DERIVED FROM THE COUNTY HEALTH CARE PROVIDER PARTICIPATION FUND TO PROVIDE THE NONFEDERAL SHARE OF A SUPPLEMENTAL PAYMENT PROGRAM, KNOWN AS RURAL ACCESS TO PRIMARY AND PREVENTIVE SERVICES (RAPPS), AUTHORIZED UNDER THE STATE MEDICAID PLAN TO FUND PAYMENTS TO MEDICAID MANAGED CARE ORGANIZATIONS THAT ARE DEDICATED FOR PAYMENT TO HOSPITALS

On this the 8 day of April, 2022, came on for consideration the matter Authorization of Intergovernmental Transfers of Funds Derived from the County Health Care Provider Participation Fund to Provide the Nonfederal Share of a Supplemental Payment Program, known as Rural Access to Primary and Preventive Services (RAPPS), Authorized under the State Medicaid Plan to Fund Payments to Medicaid Managed Care Organizations That are Dedicated for Payment to Hospitals. Judge Felton directed the Clerk to show Item as Pulled and No Action Taken.

ORDER ADJOURNING SPECIAL SESSION

On this the 8 day of April 2022, at 9:24 o'clock a.m. County Judge Scott Felton announced that the meeting of April 8, 2022 is adjourned.
