

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

**AUTHORIZING THE ACCEPTANCE OF ADDITIONAL FUNDS BY
THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT
REIMBURSED BY THE TEXAS HEALTH AND HUMAN SERVICES
COMMISSION FOR YEAR 1 OF THE PUBLIC HEALTH
PROVIDER CHARITY CARE PROGRAM, AUTHORIZED UNDER
THE MEDICAID 1115 WAIVER, IN AN AMOUNT UP TO \$22,792.94
AND RATIFYING THE EXECUTION OF THE DEPARTMENT'S
CHARITY CARE POLICY.**

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WHEREAS, on December 22, 2021, the Health and Human Services Commission (HHSC) received federal approval of the Public Health Provider – Charity Care Program (PHP-CCP) Protocol from the Centers for Medicare & Medicaid Services (CMS); and

WHEREAS, PHP-CCP was designed to allow qualified providers to receive reimbursement for the cost of delivering healthcare services, including behavioral health services, immunizations, and other preventative services, when those costs are not reimbursed by another source; and

WHEREAS, the program is authorized under the 1115 Waiver Program; and

WHEREAS, Year 1 of the program consisted of uncompensated care and Medicaid shortfall; and

WHEREAS, beginning October 1, 2021, the PHP-CCP became operational and allowed certain providers, including local health departments and public health districts established under the Texas Health and Safety Code Chapter 121, to receive a supplemental payment for certain medical services; and

WHEREAS, payments from the pool are to defray the cost of uncompensated costs of providing medical services to Medicaid eligible or uninsured individuals; and

WHEREAS, in year 2, the program transferred from all uncompensated care to charity care only, and participating providers were required to create a charity care policy; and

WHEREAS, charity care includes healthcare services, including behavioral health services, vaccine services, public health services, and other preventative services, provided without expectation of reimbursement to uninsured patients who meet the provider's charity-care policy; and

WHEREAS, the San Antonio Metropolitan Health District (Metro Health), by San Antonio City Council adoption, may charge fees for some public health services; however, Metro Health will not deny public health services to an individual because of their inability to pay for the services and will provide for the reduction or waiver of a fee for an individual who cannot pay for services in whole or in part; and

WHEREAS, Metro Health will be required to submit the approved policy, along with the Year 2 cost report tool, to the HHSC in November 2023; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City manager or designee, or the Director of the San Antonio Metropolitan Health District or designee, is authorized to accept additional funds by the San Antonio Metropolitan Health District reimbursed by the Texas Health and Human Services Commission for Year 1 of the Public Health Provider Charity Care Program, authorized under the Medicaid 1115 Waiver in an amount up to \$22,792.94 and is further authorized to initiate, negotiate, and execute any and all necessary documents and a grant contract to effectuate the acceptance of the referenced funds.

SECTION 2. The execution of the department's charity care policy to align with and meet the requirement for participation in the Public Health Provider – Charity Care Program (PHP-CCP) for Year 2 and beyond is hereby ratified. A copy of the policy is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 3. Funds received for this ordinance for reimbursement will be deposited in Fund 29658000, Internal Order 836000000199 and General Ledger 4502280.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 18th day of May 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

MH/ah
05/18/2023
Item No. 23-191589

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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