

*Resolution in support of the Extension Application for
§1115 Waiver from the U.S. Department of
Health and Human Services*

Whereas in December 2011, the U.S. Centers for Medicare & Medicaid Services (CMS) approved a five-year healthcare funding program through the Texas Healthcare Transformation Quality Improvement Program § 1115 Waiver (§ 1115) and extended it for an additional five-year period in December 2017; an

Whereas that approved program included the Delivery System Reform Incentive Payment (DSRIP) Program that used regional partnerships to enhance healthcare options for uninsured Texans and expand access to care for Hidalgo County residents and the Uncompensated Care Pool (UC) that increased access to inpatient and outpatient hospital care by providing reimbursement to hospitals providing charity care to the indigent and uninsured; and

Whereas Hidalgo County benefited immensely from the DSRIP and UC programs, through a partnership of Hidalgo County Health and Human Services Department, Hidalgo County hospitals, the University of Texas Rio Grande Valley, and various local health care providers, using hundreds of millions of dollars in federal funds since the program's inception. These funds were used to meet the health care needs of Hidalgo County residents, provide timely services and charity care, fund innovative projects, increase access to health care services, and reach our most vulnerable residents; and

Whereas in January of 2021, CMS approved a ten-year, \$100 billion, §1115 waiver extension that transitioned the DSRIP program into a new Public Health Provider charity care pool and directed payment programs for hospitals, physicians, ambulance providers, community mental health clinics, rural health care providers, and mental health resources; and

Whereas on April 16, 2021, the CMS rescinded the §1 115 waiver leaving the previous waiver in effect until its expiration on September 30, 2022, and the DSRIP program funding expiration on September 30, 2021; and

Whereas if the DSRIP program funding is not extended to September 30, 2022 or the DSRIP transition program included in the now-rescinded § 1115 waiver approved, Hidalgo County will lose hundreds of millions of dollars in healthcare and mental health support funding; and

Whereas On May 28, 2021, the Texas Health and Human Services Commission (HHSC) posted an Extension Application for the §1115 waiver. The extension request reflects the same terms and conditions agreed to and approved by CMS on Jan. 15, 2021 and would provide critical funding for the UC program and to transition the DSRIP program into a new Public Health Provider charity care pool and directed payment programs for hospitals, physicians, ambulance providers, community mental health clinics, rural health care providers, and mental health resources. The extension request is for approximately 10 years, which will allow the §1115 waiver authority to run through 2030.

Now therefore, be it resolved that the Hidalgo County Commissioners Court supports the posted Extension Application for §1115 waiver and encourages the U.S. Department of Health and Human Services and CMS to approve the extension application as soon as possible.

Be it further resolved that the Hidalgo County Commissioners Court encourages the U.S. Department of Health and Human Services and CMS to approve an extension of the DSRIP program to at least September 30, 2022.

Approved this 15th day of June, 2021.

RICHARD F. CORTEZ
County Judge

DAVID L. FUENTES
County Commissioner, Pct. 1

EDUARDO "EDDIE" CANTU
County Commissioner, Pct. 2

EVERARDO "EVER" VILLARREAL
County Commissioner, Pct. 3

ELLIE TORRES
County Commissioner, Pct. 4

Attest: ARTURO GUAJARDO, JR.
County Clerk