



INTERIM COMMISSIONER  
Jon Weizenbaum

December 14, 2009

To: Home and Community-Based Services (HCS) Program Providers  
Texas Home Living (TxHmL) Program Providers  
Mental Retardation Authorities (MRAs)  
Consumer Directed Service Agencies (CDSAs)

Subject: Information Letter No. 09-139 (REVISED)  
HCS & TxHmL Cost Ceiling Adjustments

Effective October 1, 2009, the Health and Human Services Commission (HHSC) has adopted new rates for the Home and Community-based Services (HCS) and Texas Home Living (TxHmL) programs. Rates are posted on the HHSC website at <http://www.hhsc.state.tx.us/medicaid/programs/rad/index.html>.

The revised annual cost limit for the Texas Home Living Waiver (TxHmL) Program, effective October 1, 2009 through August 31, 2011, is as follows:

**TxHmL Program  
Service Category Limits and Individual Plan of Care (IPC) Cost Limit**

Community Support Service Category	\$12,000
Professional and Technical Services Category	\$3,000
Annual Total Cost Ceiling	\$15,000

The cost limit for individuals in the Home and Community-based Services (HCS) Program for the 2010 - 2011 biennium is as follows:

**HCS Program  
Cost Limits**

If an individual's Level of Need (LON) is:	200% Cost Ceiling Amount:
PERVASIVE PLUS (9)	\$305,877
PERVASIVE (6)	\$168,615
EXTENSIVE (8) *	\$167,468
LIMITED (5)	\$167,468
INTERMITTENT (1)	\$167,468

Note: The ICF/MR annual average per capita cost and annual cost ceiling amount for all levels of need is **\$83,734**.

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\*An HCS participant who has an Extensive LON (LON 8) and needs more than 180 minutes of nursing per week (a "6" is designated on item 40 of the MR/RC assessment) will have his IPC costs compared to the Pervasive LON (LON 6) cost ceiling. In other words, this participant will have a cost ceiling of \$168,615 (200% average for a LON 6 in a small facility). The participant's need for more than 180 minutes of nursing services per week must be substantiated through documentation of a medical condition(s) requiring treatment by a licensed nurse.

If you have any questions concerning the cost ceilings, please contact the Billing and Payment hotline at (512) 438-5359 or Misti J. Ackermann, Billing and Payment Manager, at (512) 438-4934 or at [misti.ackermann@dads.state.tx.us](mailto:misti.ackermann@dads.state.tx.us).

If an Individual Plan of Care (IPC) exceeds the authorized amount, follow established procedures. For IPC issues related to implementation of the new cost caps, you may contact Geneve Monreal, Manager, at (512) 438-5003 or at [geneve.monreal@dads.state.tx.us](mailto:geneve.monreal@dads.state.tx.us) or Geoff Shute, Psychologist with the Program Enrollment/Utilization Review unit, at (512) 438-5020 or at [geoff.shute@dads.state.tx.us](mailto:geoff.shute@dads.state.tx.us).

Sincerely,

*[signature on file]*

Tommy Ford  
Director  
Community Services

TF:ma