



# Local Provider Network Development Plan: Fiscal Year 2025

The Texas Health and Human Services (HHSC) requires all local mental health authorities (LMHA) and local behavioral health authorities (LBHA) complete the Local Provider Network Development (LPND) plan and submit in Word format (not PDF) to [Performance.Contracts@hhs.texas.gov](mailto:Performance.Contracts@hhs.texas.gov) **no later than December 31, 2024.**

LMHAs and LBHAs are required to complete Part I, which includes providing baseline data about services, contracts, and documentation of the LMHA's or LBHA's assessment of provider availability; and Part III, which outlines Planning and Network Advisory Committee (PNAC) involvement and public comment.

HHSC only requires LMHAs and LBHAs to complete Part II if there are new providers interested to include procurement plans.

## NOTES:

- This process applies only to services funded through the Mental Health Performance Contract Notebook (MH/PCN); it does not cover services funded through Medicaid Managed Care. Throughout the document, only report data for the non-Medicaid population.
- The requirements for network development pertain only to provider organizations and complete levels of care or specialty services. Local needs and priorities govern routine or discrete outpatient services and services provided by individual practitioners, and these services are not part of the assessment of provider availability or plans for procurement.
- When completing the template, ensure conciseness, specificity, and use bullet points where possible, providing information only for the period since submitting the fiscal year 2023 LPND plan and adding rows in tables as necessary for responses.

# PART I: Required for all LMHAs and LBHAs

## Local Service Area

1. Provide information in table 1 about your local service area using data from the most recent Mental and Behavioral Health Outpatient Warehouse (MBOW) data set on LMHA or LBHA Area and Population Statistics, found in the MBOW's General Warehouse folder.

**Table 1: Area and Population Statistics**

Population	LMHA or LBHA Data
Square miles	4,564
Population density	4,423
Total number of counties	6
Number of rural counties	4
Number of urban counties	2

## Current Services and Contracts

2. Complete tables 2 through 4 to provide an overview of current services and contracts.
3. List the service capacity based on the most recent MBOW data set.
  - a) For levels of care (LOC), list the non-Medicaid average monthly served found in MBOW using data from the LOC-A by Center (Non-Medicaid Only and All Clients) report in the General Warehouse folder.
  - 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 service capacity for fiscal year 2025. If no change is anticipated, enter the same information previous column.
- e) State the total percent of each service contracted out to external providers in fiscal year 2024. For LOCs, do not include contracts for discrete services within those levels of care when calculating percentages.

**Table 2: Service Capacity for Adult Community Mental Health Service LOCs**

LOC	Most recent service capacity (non-Medicaid only)	Estimated FY 2025 service capacity (non-Medicaid only)	% total non-Medicaid capacity provided by external providers in FY 2025
Adult LOC 1m	0	0	100%
Adult LOC 1s	11,615	11,615	100%
Adult LOC 2	1,176	1,176	100%
Adult LOC 3	2,243	2,243	100%
Adult LOC 4	424	424	100%
Adult LOC 5	0	0	100%

**Table 3: Service Capacity for Children's Community Mental Health Service LOCs**

LOC	Most recent service capacity (non-Medicaid only)	Estimated FY 2025 service capacity (non-Medicaid only)	% total non-Medicaid capacity provided by external providers in FY 2025
Children's LOC 1	487	487	
Children's LOC 2	647	647	

<b>LOC</b>	<b>Most recent service capacity (non-Medicaid only)</b>	<b>Estimated FY 2025 service capacity (non-Medicaid only)</b>	<b>% total non-Medicaid capacity provided by external providers in FY 2025</b>
Children's LOC 3	221	221	
Children's LOC 4	9	9	
Children's LOC YC	42	42	
Children's LOC 5	0	0	

**Table 4: Service Capacity for Crisis Services**

<b>Crisis Service</b>	<b>FY 2024 service capacity</b>	<b>Estimated FY 2025 service capacity</b>	<b>% total capacity provided by external providers in FY 2024</b>
Crisis Hotline	8600	8600	100%
Mobile Crisis Outreach Teams	4000	4000	100%
Private Psychiatric Beds	NA	NA	100%
Community Mental Health Hospital Beds	NA	NA	100%
Contracted Psychiatric Beds (CPBs)	19,781	19,781	100%
Extended Observation Units (EOUs)	5840 Bed Days/yr	0	100%
Crisis Residential Units (CRUs)	5840 Bed Days/yr	5840 Bed Days/yr	100%

<b>Crisis Service</b>	<b>FY 2024 service capacity</b>	<b>Estimated FY 2025 service capacity</b>	<b>% total capacity provided by external providers in FY 2024</b>
Crisis Respite Units (CRUs)	4380 Bed Days/yr	4380 Bed Days/yr	100%

4. List all contracts for fiscal year 2025 in the tables 5 and 6. Include contracts with provider organizations and individual practitioners for discrete services.

- a) In tables 5 and 6, list the name of the provider organization or individual practitioner. LMHAs or LBHAs must have written consent to include names of individual peer support providers. State the number of individual peers (e.g., "3 individual peers") for peer providers that do not wish to have their names listed.
- b) List the services provided by each contractor, including full levels of care, discrete services (such as Cognitive Behavioral Therapy, physician services, or family partner services), crisis and other specialty services, and support services (such as pharmacy benefits management, laboratory, etc.).

**Table 5: Provider Organizations**

<b>Provider Organization</b>	<b>Service(s)</b>
Adelson Behavioral/Mental Health Services	Comprehensive Mental Health Provider
Adult Rehabilitation Ministry (ARM)	Recovery Support Services
Association of Persons Affected by Addiction (APAA)	Recovery Support Services and Mental Health Peer Services
Axcel Treatment and Recovery Center (Finch Clinic)	Medications for Opioid Use Disorder Treatment
Bienstar Counseling	Comprehensive Mental Health Provider

<b>Provider Organization</b>	<b>Service(s)</b>
Cenikor Foundation	Substance Use Disorder Treatment Services: Residential Detoxification, Intensive Residential, Outpatient, Co-occurring Psychiatric and Substance Use Disorder.
Centro de Mi Salud	Comprehensive Mental Health Provider
Child and Family Guidance Center	Comprehensive Mental Health Provider; Yes Waiver
Community Medical Services	Medications for Opioid Use Disorder Treatment
Dallas Behavioral Healthcare Hospital	Private Psychiatric Beds
Glen Oaks Hospital	Private Psychiatric Beds
Harris Center	Crisis Hotline
Hickory Trail Hospital	Private Psychiatric Beds
Homeward Bound Inc.	Comprehensive Mental Health Provider, Mental Health Peer Service, Substance Use Disorder Treatment Services: Residential Detoxification, Intensive Residential, Outpatient, Co-occurring Psychiatric and Substance Use Disorder, Recovery, Recovery Support Services; Crisis Respite Services.
Innovations CMHC	Comprehensive Mental Health Provider
Inspired Hope Group	Medications for Opioid Use Disorder Treatment
Integrated Psychotherapeutic Services (IPS)	SUD Treatment Services: Medications for Opioid Use Disorder Treatment, Outpatient, COPSD; Comprehensive Mental Health Provider

<b>Provider Organization</b>	<b>Service(s)</b>
Jewish Family Service of Greater Dallas	Targeted Case Management, Mental Health Peer Support Services
Lakes Regional Community Center	Comprehensive Mental Health Provider, PASRR Services, SUD Treatment Services: Adult Outpatient Services
Nexus Recovery Center	SUD Treatment Services: Medications for Opioid Use Disorder Treatment, OBOT, COPSD, Residential Detoxification, Intensive Residential, Outpatient, Women & Children Intensive Residential; Recovery Support Services
Parkland Health & Hospital System	Private Psychiatric Beds
Perimeter Behavioral Hospital of Dallas	Private Psychiatric Beds
Psychiatric Medical Associates, PA	Comprehensive Mental Health Provider
Southern Area Behavioral Healthcare, LLC	After-hours clinic, Comprehensive Mental Health Provider
StepMed	Medications for Opioid Use Disorder Treatment
Texas Health – Presbyterian Hospital - Dallas	Private Psychiatric Beds
Texoma Medical Center – Behavioral Health	Private Psychiatric Beds
The Wood Group	Crisis Respite
Valiant Behavioral Health Services	Comprehensive Mental Health Provider
WellBridge Healthcare Greater Dallas	Private Psychiatric Beds

Provider Organization	Service(s)
West Texas Counseling & Rehabilitation	Medications for Opioid Use Disorder Treatment
Youth180	SUD Treatment: Outpatient Adult & Youth
Integrated Prescription Management, INC.	Pharmacy Management
Clinical Pathology Laboratories	Labs

**Table 6: Individual Practitioners**

Individual Practitioner	Service(s)
None	N/A

## Administrative Efficiencies

5. Using bullet format, describe the strategies the LMHA or 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).
  - *NTBHA uses an RFP procurement process for many direct services to ensure we are getting the best value possible for state appropriated funds.*
  - *NTBHA collaborates with government entities using MOUs and Contracts to ensure administrative costs are held to a minimum.*
6. List partnerships with other LMHAs and LBHAs related to planning, administration, purchasing, and procurement or other authority functions, or service delivery in table 7. Include only current and ongoing partnerships.

**Table 7: LMHA or LBHA Partnerships**

Start Date	Partner(s)	Functions
10/1/2019	Harris Center	Crisis Hotline
3/23/2020	Harris Center	Covid-19 Mental Health Support Line
1/1/2017	All Participating Centers	Via the Texas Council, NTBHA participates in UM/QM, Finance and other collaboratives with other centers to ensure we are using optimal processes.
9/1/2019	<ul style="list-style-type: none"> <li>● Texoma Community Center</li> <li>● Lakes Regional Community Center</li> <li>● LifePath Systems</li> </ul>	Collaboration with the 3 LMHAs through ESC non-physician mental health provider and Mental Health First Aid to ensure coverage of appropriate services.
1/1/2017	Lakes Regional Community Center	NTBHA contracts with Lakes Regional Community Center to provide SUD/MH, peer, coffee house, PASRR, OSAR, crisis assessments and treatment recommendations, and Mental Health First Aid services within the NTBHA catchment area.

<b>Start Date</b>	<b>Partner(s)</b>	<b>Functions</b>
1/1/2017	<ul style="list-style-type: none"> <li>● LifePath Systems</li> </ul>	<p>NTBHA collaborates with LifePath Systems for crisis assessments and treatment recommendations for youth and OSAR services. Collaborate with LifePath in Denton County to provide courtesy crisis services and assist in law enforcement and hospital admissions and diversions.</p>
1/1/2017	Denton County MHMR	<p>Collaborate with Denton County MHMR to provide courtesy crisis services and assist in law enforcement and hospital admissions and diversions.</p>
1/1/2017	Tarrant County MHMR	<p>Collaborate with Tarrant County MHMR to provide courtesy crisis services and assist in law enforcement and hospital admissions and diversions. Tarrant County MHMR is the NTBHA resource for suicide prevention education (Zero Suicide Initiative).</p>
1/1/2017	Heart of Texas Behavioral Health Network	<p>Collaboration with Heart of Texas through MHFA and ESC non-physician mental health professional services.</p>

Start Date	Partner(s)	Functions
1/1/2017	All participating centers	NTBHA provides pre-diversion screenings at Terrell State Hospital and coordinated continuity of care activities for ongoing outpatient services. Appropriate crisis services are provided to individuals to stabilize crisis. After the immediate crisis is resolved, NTBHA navigates individuals back to their home Center while individuals are within the NTBHA catchment area. NTBHA provides follow-up services to ensure connection.

## Provider Availability

The LPND process is specific to provider organizations interested in providing full LOCs 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 or LBHA took to identify potential external providers for this planning cycle. Be as specific as possible.

For example, if you posted information on your website, explain how providers were notified the information was available. Describe contacts with your existing network, Managed Care Organizations, past providers and other behavioral health providers and organizations in the local service area via phone and email. Include information on meetings with stakeholders, networking events and input from your PNAC about local providers.

- NTBHA aggressively promotes our RFP and RFA opportunities. Our activities included:
- *Posting on the ESBD*

- *Posting on the Procurement page of the NTBHA website*
- *Link provided on Texas HHSC Solicitation website*
- *Emailing existing providers*
- *Emailing a consolidated list of providers who ever expressed interest in contracting with NTBHA*
- *Public announcements of the RFP opportunity at Dallas Behavioral Health Leadership Team*
- *Announcement at the Adult Clinical Operation Team meeting*
- *Announcements with contracted and non-contracted providers*

8. Complete table 8 by listing each potential provider identified during the process described above. Include all current contractors, provider organizations that registered on the HHSC website, and provider organizations that have submitted written inquiries since submission of the fiscal year 2023 LPND plan. HHSC will notify an LMHA or LBHA if a provider expresses interest in contracting via the HHSC website. HHSC will accept new provider inquiry forms through the HHSC website from September 1, 2024, through December 1, 2024. When completing the table:

- Note the source used to identify the provider (e.g., current contract, HHSC website, LMHA or 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.

Do not finalize your provider availability assessment or post the LPND plan for public comment before September 1, 2024.

**Table 8: Potential Providers**

<b>Provider</b>	<b>Source of Identification</b>	<b>Summary of Follow-up Meeting or Teleconference</b>	<b>Assessment of Provider Availability, Services, and Capacity</b>
Hands of Hope Behavioral Health	E-mail	NTBHA Provider Relations staff met with and discussed potential opportunities of collaboration. Provider added to email procurement distribution list for future announcements.	MH services
Effulgence Psychiatry	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities of collaboration. Provider added to email procurement distribution list for future announcements.	
Connections Wellness Group	E-mail	Provider did not respond to Provider Relations staff invitation.	NA
New Seasons Treatment Center	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Opioid Treatment Provider (OTP), able to serve indigent population in Dallas, Tx area
North Texas Behavioral Clinic	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Comprehensive mental health provider

<b>Provider</b>	<b>Source of Identification</b>	<b>Summary of Follow-up Meeting or Teleconference</b>	<b>Assessment of Provider Availability, Services, and Capacity</b>
Healing Hands Ministries	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	MH and SUD outpatient services
Momentous Institute	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Specialized in family-based mental health services for youth ages 0-15 and their families.
The Men of Nehemiah	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Provider provides long-term faith-based residential SUD treatment
Bunnies Community Solutions	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration.	Provider interested in Yes Waiver services.
Your Discovery Place	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Provider provides youth and adult SUD outpatient services.

<b>Provider</b>	<b>Source of Identification</b>	<b>Summary of Follow-up Meeting or Teleconference</b>	<b>Assessment of Provider Availability, Services, and Capacity</b>
Semper Healthcare Services, INC	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Services include Medication Assisted Treatment for OUD
Grace Outreach	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Services include youth and adult mental health.
Business Building Esquire	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Services include suicide and prevention.
ABODE Treatment	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Residential and Outpatient SUD treatment
Home Based Transportation Services	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Transportation services

<b>Provider</b>	<b>Source of Identification</b>	<b>Summary of Follow-up Meeting or Teleconference</b>	<b>Assessment of Provider Availability, Services, and Capacity</b>
Red River Therapeutic Solutions	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Comprehensive mental health services
Arise Behavioral and Wellness Health, PLLC	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Comprehensive mental health services
Serenity Counseling Education	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Services include DWI education classes, SUD outpatient and supportive outpatient counseling.
Tyler Rose Education and Behavioral Health Center	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Services include behavioral health counseling
Salvation Army	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	SUD Residential Services

<b>Provider</b>	<b>Source of Identification</b>	<b>Summary of Follow-up Meeting or Teleconference</b>	<b>Assessment of Provider Availability, Services, and Capacity</b>
Love Bond Behavioral Health	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Services include Comprehensive Mental Health
Life Second Chance Treatment	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Opioid Treatment Services
Advanced Behavioral Care	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Services include Medication Management
Haven Behavioral Health	E-mail	NTBHA Provider Relations staff met and discussed potential opportunities for collaboration. Provider added to email procurement distribution list for future announcements.	Private Psychiatric Beds

## **Part II: Required only for LMHAs and LBHAs with potential for network development**

### **Procurement Plans**

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

26 Texas Administrative Code (TAC) Chapter 301, Local Authority Responsibilities, Subchapter F, Provider Network Development describes the conditions under which an LMHA or 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.

9. Complete table 9, inserting additional rows as need.
  - a) 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.
  - b) State the capacity to be procured, and the percent of total capacity for that service.
  - c) State the method of procurement—open enrollment Request for Application (RFA) or request for proposal (RFP).
  - d) Identify the geographic area for which the service will be procured: all counties or name selected counties.
  - e) Document the planned begin and end dates for the procurement, and the planned contract start date.

**Table 9: Procurement Plans**

<b>Service or Combination of Services to be Procured</b>	<b>Capacity to be Procured</b>	<b>Method (RFA or RFP)</b>	<b>Geographic Area(s) in Which Service(s) will be Procured</b>	<b>Posting Start Date</b>	<b>Posting End Date</b>	<b>Contract Start Date</b>
TBD						

## Rationale for Limitations

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

10. Complete table 10 based on the LMHA's or LBHA's assessment of provider availability. Review [26 TAC Section 301.259](#) carefully to be sure the rationale addresses the requirements specified in the rule (See Appendix B).

- a) Based on the LMHA's or LBHA's assessment of provider availability, respond to each of the following questions.
- b) If "yes" is answered for any restriction identified in table 10, provide a clear rationale.
- c) If the restriction applies to multiple procurements, the rationale must address each of the restricted procurements or state that it is applicable to all the restricted procurements.
- d) The rationale must provide a basis for the proposed level of restriction, including the volume of services to be provided by the LMHA or LBHA.

**Table 10: Procurement Limitations**

	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	

11. Complete table 11 if the LMHA or LBHA will not be procuring all available capacity offered by external contractors for one or more services and identify the planned transition period and the year in which the LMHA or LBHA anticipates procuring the full external provider capacity currently available (not to exceed the LMHA's or LBHA's capacity).

**Table 11: Procurement Transitions**

Service	Transition Period	Year of Full Procurement

## Capacity Development

12. In table 12, document the LMHA's or LBHA's procurement activity since the submission of the fiscal year 2023 LPND plan. Include procurements implemented as part of the LPND plan and any other procurements for full LOCs and specialty services that have been conducted.

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

**Table 12: Procurement Activities**

Year	Procurement (Service, % of Capacity, Geographic Area)	Results (Providers and Capacity)
2024	Mental Health Services, Special Projects Expand/Sustain (Unmet needs, address gaps identified by HHS in FY2022-2026 Texas Statewide Behavioral Health Strategic Plan, 100% of Capacity, NTBHA 6 County Catchment)	5 Providers & 100%
2024	Inpatient Psychiatric Hospital Services (Inpatient Psychiatric Beds, 100% of Capacity, NTBHA 6 County Catchment)	6 Providers & 100%

Year	Procurement (Service, % of Capacity, Geographic Area)	Results (Providers and Capacity)
2024	Mobile Crisis Outreach Team & Hotline Services (MCOT & Hotline Services, 100% of Capacity, NTBHA 6 County Catchment)	1 Provider & 100%
2024	Crisis Residential & Respite Services (100% of Capacity, NTBHA 6 County Catchment)	1 Provider & 100%
2024	Comprehensive Mental Health Provider (100% of Capacity, NTBHA 6 County Catchment)	12 Providers & 100%
2024	Substance Abuse Treatment Services (Treatment for Adults, 100% of Capacity, NTBHA 6 County Catchment)	7 Providers & 100%
2024	Substance Abuse Treatment Services (Treatment for Females, 100% of Capacity, NTBHA 6 County Catchment)	3 Providers & 100%
2024	Substance Abuse Treatment Services (Treatment for Youth, 100% of Capacity, NTBHA 6 County Catchment)	4 Providers & 100%
2024	Substance Abuse Treatment Services (Medication Assisted Therapy, 100% of Capacity, NTBHA 6 County Catchment)	12 Providers & 100%
2024	Substance Abuse Treatment Services (Office Based Treatment, 100% of Capacity, NTBHA 6 County Catchment)	3 Providers & 100%
2024	Substance Abuse Treatment Services (Recovery Support, 100% of Capacity, NTBHA 6 County Catchment)	4 Providers & 100%
2024	Substance Abuse Treatment Services (Co-occurring Mental Health and Substance Abuse, 100% of Capacity, NTBHA 6 County Catchment)	5 Providers & 100%

## **PART III: Required for all LMHAs and LBHAs**

### **PNAC Involvement**

13. Complete table 13 to show PNAC involvement. 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. Add additional lines as needed.

**Table 13: PNAC Involvement**

<b>Date</b>	<b>PNAC Activity and Recommendations</b>
12/3/2024	PNAC reviewed the document

### **Stakeholder Comments on Draft Plan and LMHA or LBHA Response**

Allow at least 30 days for public comment on draft plan. Do not post plans for public comment before September 1, 2024.

In table 14, summarize the public comments received on the LMHA's or LBHA's 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. Add additional lines as needed.

Describe the LMHA's or 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 provide explanation for the LMHA's or LBHA's rationale for rejecting comment.

**Table 14: Public Comments**

<b>Comment</b>	<b>Stakeholder Group(s)</b>	<b>LMHA or LBHA Response and Rationale</b>

Complete and submit entire plan to [Performance.Contracts@hhs.texas.gov](mailto:Performance.Contracts@hhs.texas.gov) by **December 31, 2024**.

## Appendix A: Assessing Provider Availability

Provider organizations can indicate interest in contracting with an LMHA or LBHA through the [LPND website](#) or by contacting the LMHA or 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 or LBHA when the Provider Inquiry Form is posted.

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

The LMHA or LBHA must work with the provider to find a mutually convenient time for an informational meeting. 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's or LBHA's initial contact, the LMHA or LBHA may conclude that the provider is not interested in contracting with the LMHA or LBHA.

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

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

## Appendix B: Guidance on Conditions Permitting LMHA and LBHA Service Delivery

In accordance with [26 TAC Section 301.259](#) an LMHA or LBHA may only provide services if one or more of the following conditions is present.

1. The LMHA or LBHA determines that interested, qualified providers are not available to provide services in the LMHA's or LBHA'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 a person and their legally authorized representative(s) can choose from two or more qualified providers.
3. The network of external providers does not provide people 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 or LBHA, as of a date determined by the department. An LMHA or LBHA 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 or LBHA's service capacity for each level of care identified in the LMHA's or LBHA's plan.
5. Existing agreements restrict the LMHA's or LBHA's ability to contract with external providers for specific services during the two-year period covered by the LMHA's or LBHA's plan. If the LMHA or LBHA relies on this condition, the department shall require the LMHA or LBHA to submit copies of relevant agreements.
6. The LMHA and LBHA documents that it is necessary for the LMHA or LBHA to provide specified services during the two-year period covered by the LMHA's or LBHA's plan to preserve critical infrastructure needed to ensure continuous provision of services. An LMHA or LBHA 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 PNAC 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 or LBHA 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 or LBHA 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: Legislative Authority**

### **2022-23 General Appropriations Act, Senate Bill 1, 87th Legislature, Regular Session, 2021 (Article II, HHSC, Rider 139)**

#### **Efficiencies at Local Mental Health Authorities and Intellectual Disability**

**Authorities.** HHSC shall ensure that LMHAs, LBHAs and local intellectual disability authorities that receive allocations from the funds appropriated above to HHSC shall maximize the dollars available to provide services by minimizing overhead and administrative costs and achieving purchasing efficiencies. 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 HHSC 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<sup>a</sup> services.

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<sup>a</sup> ICF/IID - Intermediate Care Facilities for Individuals with an Intellectual Disability