The Aging and Disability Services Council convened at the John H. Winters Building, 701 West 51st Street, Austin, Texas. Council Members in attendance were Chair Sharon Swift Butterworth, Vice Chair John Cuellar, Glyn Crane, Judy Foster, J. Russell Shannon and Donna Stauber. Commissioner Jon Weizenbaum and other DADS staff were present. Kenneth Owens served as Parliamentarian. Council members Ann Schneider and Carolyn Harvey were unable to attend the meeting.

**Agenda Item No. 1 – Call to Order**

Sharon Swift Butterworth called the meeting to order at 8:34 a.m.

**Agenda Item No. 2 – Approval of the minutes of December 6, 2012**

The Minutes from the Council meeting of December 6, 2012, were presented.

_The DADS Council unanimously approved the minutes of the December 6, 2012, DADS Council meeting._

**Agenda Item No. 3 – Commissioner’s Quarterly Update**

Commissioner John Weizenbaum informed the council about various activities including:

- The selection of Chris Adams as the Deputy Commissioner; the selection of Lynn Blackmore as the Director of the Center for Policy and Innovation; and the selection of Cecilia Cavuto as the Media Relations Manager.

**Agenda Item No. 4 – General Public Comment**

No public comment was presented.

**Agenda Item No. 5a – New 40 TAC Chapter 17, Preadmission Screening and Resident Review (PASRR), consisting of Subchapter A, General Provisions; Subchapter B, Preadmission Screening and Resident Review Process; Subchapter C, Responsibilities; and Subchapter D, Vendor Payment; repeal of §19.2500, Preadmission Screening and Resident Review, in Chapter 19, Nursing Facility Requirements for Licensure and Medicaid Certification;**
and repeal of Chapter 5, Subchapter J, Preadmission Screening and Resident Review (PASARR)—Intellectual Disability Services

Jamie R. White, DADS, presented this agenda item.

Agenda Item No. 5b – Title 1, Part 15, Chapter 355: New §355.748, Reimbursement Methodology Preadmission Screening and Resident Review (PASRR) Level II Evaluations, under Subchapter F and amended §355.310, Reimbursement Methodology for Customized Equipment under Subchapter C

Yvonne Moorad, HHSC, presented this agenda item.

Agenda Item 6a - Recommendation to propose repealing §355.451, Definitions and General Reimbursement Information; and §355.452, Cost Reporting Procedures; and §355.453 Allowable and Unallowable Costs, under Title 1 of the Texas Administrative Code (TAC), Part 15, Chapter 355, Subchapter D; and §355.703, Basic Objectives and Criteria for Review of Cost Reports; and §355.704 Determination of Inflation Indices; and §355.705, Notification; and §355.706, Adjusting Reimbursement; and §355.708, Allowable and Unallowable Costs; and §355.709, Revenues, under Title 1 of the Texas Administrative Code (TAC), Part 15, Chapter 355, Subchapter F

Brian King, HHSC, presented this agenda item. Discussion followed.

No public comment was presented.

Glyn Crane made the motion that the Council recommend for proposal by the Health and Human Services Commission the repeal of rules governing cost reporting, as presented in Agenda Item 6a. Judy Foster seconded and the motion was approved.

Agenda Item No. 6b – Recommendation to propose amendments §355.105, General Reporting and Documentation Requirements, Methods, and Procedures, under Title 1 of the Texas Administrative Code (TAC), Part 15, Chapter 355, Subchapter A

Brian King, HHSC, presented this agenda item. Discussion followed.

No public comment was presented.

Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule governing related-party
compensation, as presented in Agenda Item 6b. Glyn Crane seconded and the motion was approved.

Agenda Item No. 6c – Recommendation to propose amendments to §355.112, Attendant Compensation Rate Enhancement, under Title 1 of the Texas Administrative Code (TAC), Part 15, Chapter 355, Subchapter A

Judy Myers, HHSC, presented this agenda item. Discussion followed.

No public comment was presented.

Donna Stauber made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule governing attendant compensation rate enhancement, as presented in Agenda Item 6c. Glyn Crane seconded and the motion was approved.

Agenda Item No. 6d – Recommendation to propose an amendment to 40 TAC §19.2322, Medicaid Bed Allocation Requirements, and the repeal of §19.2324, Selection and Contracting Procedures for Adding Medicaid Beds in High-Occupancy Areas, in Chapter 19, Nursing Facility Requirements for Licensure and Medicaid Certification

Susan Davis, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

Judy Foster made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of a rule and the repeal of a rule governing nursing facility Medicaid bed allocation, as presented in Agenda Item 6d. John Cuellar seconded and the motion was approved.


Randy Rowley, DADS, presented this agenda item. Discussion followed.
No public comment was presented.

**J. Russell Shannon made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules governing nursing facility requirements, as presented in Agenda Item 6e. Glyn Crane seconded and the motion was approved.**

**Agenda Item No. 6f – Recommendation to propose amendments, new sections, and repeal in 40 TAC Chapter 9, Subchapter E, concerning ICF/IID Programs–Contracting**

Katharine McCormick, DADS, presented this agenda item. Discussion followed.

No public comment was presented.

**John Cuellar made the motion that the Council recommend for proposal by the Health and Human Services Commission the amendment of rules, new rules, and the repeal of rules governing requirements for intermediate care facilities for individuals with intellectual disabilities, as presented in Agenda Item 6f. J. Russell Shannon seconded and the motion was approved.**

**Agenda Item No. 7 – Adjournment**

Chair Sharon Swift Butterworth adjourned the meeting at 9:13 a.m.