

2017 Legislative Agenda

Policy Priorities for the 85th Session

Create a Nursing Home Quality-Based Payment Program

The Nursing Home Quality Rate Enhancement is designed to increase Medicaid funding for nursing homes that achieve specified quality indicators and maintain certain direct care staffing levels, while also creating market competition in the Texas Medicaid Program. Implementation of the program will build upon the existing [Nursing Facility Direct-Care Staff Enhancement Program](#) to address the unstable workforce in Texas nursing homes.

Staff to resident ratios are the primary indicator of quality care in nursing homes. Since 2000, the staff rate enhancement has been an effective pay-for-performance model that guarantees funding is directly tied to staffing. The Nursing Home Quality Program will also incorporate quality measures based on the CMS Five Star Quality Rating System. This program will increase funding to nursing homes that maintain higher staffing levels and achieve quality clinical outcomes.

Create a More Efficient and Effective Regulatory Environment and Survey Process

Nursing home quality may be improved by streamlining regulatory oversight, improving the survey inspection process and focusing quality initiative programs on a smaller number of poor performing nursing homes. The regulatory burden placed on providers is overwhelming. For example, Texas statute requires surveyors make on-site visits in response to all regulatory related complaints. In FY2015, this resulted in 5,953 on-site investigations (averaging 16 facility visits per-day in FY2015). Less than 20 percent were substantiated.

The state survey process is drastically inconsistent across state regions. The subjective nature of the survey process allows surveyors to interpret situations that may not merit certain violations. Consequently, quality providers are penalized and forced to exhaust limited financial resources. Expectations should be clearly defined so nursing facilities may avoid potential deficiencies during a survey inspection. Texas should establish professional qualifications, mandatory joint training across regions, and annual continuing education that exceed federal requirements to promote consistency among regional survey teams.

Defend Tort Reform Provisions

In 2003, medical liability reforms were passed to protect both providers and patients. These reforms have successfully reduced lawsuits and liability costs increasing the number of quality providers who specialize in geriatric medicine and aging services.

Expand Affordable Housing Plus Services Options for Aging Texans

By 2030, nearly 1 million Texans will be 85 and older. As our population rapidly ages there is a growing need for long-term services options for low income seniors. Bringing health and supportive services to affordable senior housing communities is a cost-effective strategy and allows low income seniors to age in place.