

HHSC CONTRACT 529-16-0007-00001AG

**AMENDMENT THIRTY-THREE
To HHSC CONTRACT NO. 529-16-0007-00001**

THIS AMENDMENT Thirty-Three (the “**Amendment**”) to HHSC Contract No. 529-16-0007-00001 (the “**Agreement**”) is entered into between the HEALTH AND HUMAN SERVICES COMMISSION (“**HHSC**” or the “**State**”), an administrative agency within the executive department of the State of Texas and having its principal office at 4900 North Lamar Boulevard, Austin Texas 78751, and Accenture State Healthcare Services LLC (“**CONTRACTOR**”), a limited liability corporation organized under the laws of the State of Delaware and having its principal place of business at 323 Congress Avenue, Suite 150, Austin, TX 78701. HHSC and the CONTRACTOR may be referred to in this Amendment individually as a “Party” and collectively as the “Parties.”

WHEREAS, in accordance with Article 9 of the Agreement, the Parties wish to amend the Agreement in order to replace Amendment Twenty-Two COR 19-011, version 2.0 in its entirety with COR 19-011 Version 4.0, which is attached to this Amendment as **Attachment A (“COR 19-011”)**. COR 19-011 modified the Scope of Work of the Agreement to allow HHSC to continue to utilize the existing Resource Utilization Group (RUG III) payment methodology without payment interruption to the Nursing Facilities because the Federal Centers for Medicare and Medicaid Services (CMS) will no longer calculate Medicaid RUG III values on the MDS 3.0 Comprehensive and Quarterly Assessments effective October 1, 2020.

WHEREAS, the Parties wish to replace the terms and conditions of COR 19-011, Version 2.0 in the Agreement with this Amendment.

NOW, THEREFORE, the Parties hereby amend and modify the Agreement as follows:

1. **PRICE REDUCTION.** This Amendment will revise the project scope due to a change in direction from CMS. CMS postponed certain requirements with no new effective date. Therefore, the Statement of Work and associated costs are being updated to reflect the revised scope. The overall project costs will be reduced by SEVEN HUNDRED FIFTY-SIX THOUSAND FIVE HUNDRED EIGHTY-THREE DOLLARS (\$756,583).
2. **SCOPE AND PRICING.** CONTRACTOR will, in consideration of the payments to be made by HHSC under this Amendment, perform the Services set forth in COR 19-011, Version 4.0, on a “fixed fee” basis in the amount and under the terms set forth. Total Fees under this Amendment will not exceed ONE MILLION FOUR HUNDRED THIRTY-FOUR THOUSAND FIVE HUNDRED THIRTY-NINE DOLLARS (\$1,434,539).
3. **RETROSPECTIVE COST SETTLEMENT.** The costs incurred under this Amendment will be subject to the Retrospective Cost Settlement provisions included in Section 6.03 and Exhibit C of the Agreement.

4. **EFFECTIVE DATE.** This Amendment is effective upon the last signature date below and will continue in full force and effect through the remainder of the Term of the Agreement unless subsequently terminated, amended or modified by the Parties.
5. **CAPITALIZED TERMS.** All capitalized terms in this Amendment shall have the meaning as set forth in Section 3.03 of the Agreement unless modified herein.
6. **INCORPORATION BY AMENDMENT.** The Parties agree that the terms and conditions set forth in this Amendment apply to the Services and Deliverables to be provided by the CONTRACTOR under the Amendment in consideration of certain payments to be made by HHSC. By signing this Amendment, the Parties expressly understand and agree that this Amendment is made a part of the Agreement as though it were set out word for word in the Agreement.
7. **ENTIRE AGREEMENT.** The Parties agree that the terms of the Agreement will remain in effect and continue to govern except to the extent expressly modified in this Amendment. The Services and Deliverables under this Amendment are subject to all other terms and requirements of the Agreement as if set forth fully therein.

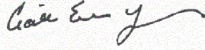
SIGNATURE PAGE FOLLOWS

**SIGNATURE PAGE FOR
AMENDMENT THIRTY-THREE
TO HHSC CONTRACT NO. 529-16-0007-00001**

IN WITNESS WHEREOF, HHSC and CONTRACTOR have each caused this Amendment to be signed and delivered by its duly authorized representative.

Health and Human Services Commission

Accenture State Healthcare Services, LLC

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Cecile Young

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055C0866BA4C483...
Terrence J. Westropp

Executive Commissioner

Managing Director

December 3, 2020

November 30, 2020

Signature Date

Signature Date

THE FOLLOWING ATTACHMENTS ARE ATTACHED AND INCORPORATED AS PART OF THE AGREEMENT:

ATTACHMENT A - COR 19-011, VERSION 4.0