

STATE OF TEXAS  
COUNTY OF TRAVIS

**AGREEMENT  
BETWEEN  
HEALTH AND HUMAN SERVICES COMMISSION  
AND  
MEDICARE ADVANTAGE DUAL ELIGIBLE SPECIAL NEEDS PLAN  
HHSC Contract No. HHS000519500001  
Amendment No. 1**

The Health and Human Services Commission (“HHSC”) and SHA. L.L.C dba FirstCare Health Plans, collectively the “Parties” to HHSC Contract HHS000519500001 effective January 1, 2020 (the “Contract”), now want to amend the Contract.

Whereas, in accordance with Section 9.05, Modification, Amendment, or Waiver, the Parties want to amend the definition of “Cost Sharing Obligations.” Prior to March 1, 2015, the MA Dual SNP was required to cover all skilled nursing facility (SNF) Medicare coinsurance as a Cost Sharing Obligation. Effective March 1, 2015, the definition of Cost Sharing Obligation was amended to exclude coinsurance for Part A-like services provided during a Dual Eligible Member’s Medicare-covered stay in a SNF. The Parties want to amend the definition to reflect that the exclusion of coinsurance for Part A-like services provided during a Dual Eligible Member’s Medicare-covered stay in a SNF from the definition of Cost Sharing Obligations only applies to services provided when the member is also enrolled in STAR+PLUS for their Medicaid services. The Parties agree that this change to the definition of Cost Sharing Obligations shall have an effective date of January 1, 2020.

The Parties therefore agree as follows:

1. The term “Cost Sharing Obligations” found in Article II, Definitions, is hereby amended and restated in its entirety to read as follows:

**Cost Sharing Obligations** mean those financial payment obligations incurred by HHSC in satisfaction of the Deductibles, Coinsurance, and Co-payments for the Medicare Part A and Part B programs with respect to Dual Eligible Members. Effective January 1, 2020, Cost Sharing Obligations include co-insurance provided during a Dual Eligible Member’s Medicare-covered stay in a skilled nursing facility when the Dual Eligible Member is enrolled in a MA Dual SNP that is contracted with HHSC and receives Medicaid services under the State’s fee-for-service model. For purposes of this Agreement, Cost Sharing Obligations do not include: (1) Medicare

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premiums that HHSC is required to pay under the Texas State Plan on behalf of Dual Eligible Members or other Dual SNP Members; (2) Deductibles, Coinsurance, and Co-payments for the Medicare Part A and Part B programs with respect to Other Dual SNP Members; (3) wrap-around services that are covered by Medicaid, and (4) Coinsurance for Part A-like services provided during a Dual Eligible Member's Medicare-covered stay in a skilled nursing facility when the member is also enrolled in STAR+PLUS for their Medicaid services. Payment of coinsurance to the skilled nursing facility for a Part A skilled stay is covered by the STAR+PLUS MCO.

2. This Amendment shall be effective on the date of the last signature below.
3. Except as modified by this Amendment, all terms of the Contract, as amended, shall remain in effect.
4. Any further revisions to the Contract shall be by written agreement of the Parties.

**SIGNATURE PAGE FOLLOWS**

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**SIGNATURE PAGE FOR CONTRACT NO. HHS000519500001  
AMENDMENT NO. 1**

**Health and Human Services Commission**

**SHA. L.L.C dba FirstCare Health  
Plans**

By: DocuSigned by:  
*Stephanie Muth* \_\_\_\_\_  
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By: DocuSigned by:  
*Jeffrey C. Ingram* \_\_\_\_\_  
D402C5C51B4E451...

Stephanie Muth  
Print Name

Jeffrey C. Ingram  
Print Name

State Medicaid Director  
Title

President & CEO  
Title

Date of signature: April 24, 2020

Date of signature: April 22, 2020