

Regional Healthcare Partnership (RHP) Anchor Planning and Governance Principles¹

What entities can serve as an RHP anchor?

In an RHP with a public hospital, the anchor must be a public hospital.

In an RHP with no public hospital, the following governmental entities providing intergovernmental transfers (IGTs) to support Waiver payments may serve as the anchor:

- Hospital districts
- Hospital authorities
- Counties
- State universities with health science centers or medical schools

Can multiple entities share the role of anchor of an RHP?

No. The anchor serves as a single point of contact for the RHP and the protocol does not envision multiple entities sharing this responsibility.

What other entities, in addition to the anchor, may provide IGTs to support Waiver payments?

Any entity that is a state agency or a political subdivision of the state that participates in an RHP may transfer public funds (as defined below) to HHSC to support payments to providers eligible for payments under the Waiver.

Entities that are political subdivisions of the state include, but are not limited to:

- Special districts (including hospital districts)
- Hospital authorities
- Counties
- State universities
- Cities
- Local mental health authorities or community centers established under Chapter 534 of Texas Health and Safety Code

What is meant by “public funds?”

“Public funds” are funds derived from taxes, assessments, levies, investments, and other public revenues within the sole and unrestricted control of a governmental entity.

Public funds do not include gifts, grants, trusts, or donations, the use of which is conditioned on supplying a benefit solely to the donor or grantor of the funds, such as the private operator of a publicly-owned hospital.

¹ The answers in this document do not constitute legal advice and are not a substitute for legal counsel. Entities may wish to consult an attorney regarding the application of any information in this document to their particular circumstances.

Does the anchor entity determine how funds transferred by other governmental entities are allocated to providers in the RHP?

No. Each governmental entity controls its own public fund commitments and use, provided such uses are consistent with the terms and objectives of the Waiver and are described in the RHP.

What functions does the anchor entity perform?

The roles and responsibilities of the anchor and of other participants in the RHP are described on HHSC's website at <http://www.hhsc.state.tx.us/1115-rhp-matrix.doc>.

May the anchor entity contract with other entities for the purpose of performing administrative tasks related to the administration or operation of the RHP?

Yes, the governmental entity may delegate purely ministerial functions, such as data collection and reporting. However, the governmental entity may not delegate to the contracting entity any decision-making authority concerning the interpretation of the Waiver, HHSC policy, or actions or decisions that involve the exercise of discretion or judgment that is specifically assigned to the governmental entity under the Waiver, HHSC policy or rules, or state law (*e.g.*, approving or disapproving the transfer of local funds to HHSC).

Can the anchor entity receive waiver payments?

An anchor entity that is also an enrolled Medicaid provider is eligible to receive waiver payments. (HHSC is working with CMS to determine if there is a way to pay anchors who are not Medicaid providers for their role.)