

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 16, 2011

TO: Honorable Richard Pena Raymond, Chair, House Committee on Human Services

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: SB222 by Nelson (Relating to access to certain long-term care services and supports under the medical assistance program.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would direct the Health and Human Services Commission (HHSC) to consider developing risk management criteria under home and community-based services waiver programs. The bill would direct the Department of Aging and Disability Services (DADS) to ensure local mental retardation authorities are informing consumers and their representatives about all programs and services for which they may be eligible.

The bill would direct DADS, in cooperation with HHSC, to develop and implement a public awareness and education campaign to educate the public on the availability of services in 1915(c) waiver programs, and the service delivery options available for Medicaid services, including consumer-directed models. DADS would also be required to post on the agency's web site historical data about the interest lists the agency maintains.

The bill would direct HHSC in cooperation with DADS to prepare a report using existing data about: 1) individuals who receive nursing facility services under Medicaid including why they are placed in a nursing facility rather than receiving community based services, 2) the services received in the nursing facility, 3) the availability of community-based supports under a 1915(c) waiver, and 4) ways to expedite nursing facility recipients' access community-based services.

The bill would direct HHSC to seek an amendment to the Home and Community-based Services (HCS) 1915(c) waiver and Community Living Assistance and Support Services (CLASS) waiver to authorize the provision of attendant services through the programs operated under those waivers.

The bill would take effect September 1, 2011.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services, Department of, 539 Aging and Disability Services, Department of

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