

BILL ANALYSIS

Senate Research Center
78R999 KLA-D

S.B. 49
By: Zaffirini
Health and Human Services
4/7/2003
As Filed

DIGEST AND PURPOSE

As a result of permanency planning efforts and the family-based alternatives project, alternatives to institutionalization of children are being developed. Families are beginning to consider a variety of family-based options including: returning the child home, shared-parenting, and full-time support from an alternative family. Currently, both adults and children living in nursing facilities have the option to use that funding to transition to community settings. However, this option is limited to those persons living in nursing facilities. As proposed, S.B. 49 requires the Health and Human Services Commission to take certain actions relating to the transfer of money appropriated for institutional care for certain children to provide community-based care services for those children after leaving an institution.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 531B, Government Code, by adding Section 531.064, as follows:

Sec. 531.064. TRANSFER OF MONEY FOR COMMUNITY-BASED SERVICES. (a) Defines "child" and "institution."

(b) Requires the Health and Human Services Commission (HHSC) to take certain actions relating to the transfer of money appropriated for institutional care for certain children to provide community-based services for those children.

(c) Requires HHSC to ensure that the amount transferred under this section is redirected by the health and human services agencies to one or more community-based programs to provide community-based services to the child after the child leaves the institution.

SECTION 2. Requires the agency affected by the provision to request a waiver or authorization and authorizes the agency to delay implementing that provision until the waiver or authorization is granted, if before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision.

SECTION 3. Effective date: September 1, 2003.