

BILL ANALYSIS

Senate Research Center
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S.B. 70
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Health and Human Services
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DIGEST AND PURPOSE

Under current federal law, Texas may implement a state Temporary Assistance to Needy Families (TANF) program for selected groups using existing state Maintenance of Effort funds. This option remains open to Texas under proposed federal legislation. As proposed, S.B. 70 requires the Texas Health and Human Services Commission, the Texas Department of Human Services, and the Texas Workforce Commission to develop and implement a state program of temporary assistance distinct from TANF for certain recipients who are less likely to meet work requirements, including elderly grandparents caring for a child or an adult who is caring for a disabled child or spouse.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Health and Human Services Commission, the Texas Department of Human Services, and the Texas Workforce Commission in SECTION 1 (Section 37.003, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 2C, Human Resources Code, by adding Chapter 37, as follows:

CHAPTER 37. STATE TEMPORARY ASSISTANCE AND SUPPORT SERVICES FOR CERTAIN RECIPIENTS

Sec. 37.001. DEFINITIONS. Defines “related support services” and “temporary assistance.”

Sec. 37.002. DEVELOPMENT AND IMPLEMENTATION OF STATE PROGRAM; FUNDING. (a) Requires the Health and Human Services Commission (HHSC), the Texas Department of Human Services (DHS), and the Texas Workforce Commission (TWC), with the participation of local workforce development boards, to jointly develop and implement a state program of temporary assistance and related support services that is distinct from the financial assistance program authorized by Chapter 31.

(b) Authorizes the provision of temporary assistance and related support services under the state program only to a person who has been receiving financial assistance under Chapter 31, but has difficulty complying with the requirements of the responsibility agreement under Section 31.0031(d)(4) because of certain circumstances.

(c) Requires temporary assistance and related support services provided under the state program to be funded with maintenance of effort funds and prohibits funding with federal money provided to the state for the financial assistance program authorized by Chapter 31.

Sec. 37.003. RULES. (a) Requires HHSC, DHS, and TWC to adopt rules necessary for implementation of the state program, including rules regarding eligibility, work requirements, work exemptions, time limits, and related support services.

(b) Requires HHSC, DHS, and TWC , in adopting rules for the state program regarding eligibility, to prescribe factors that determine when a recipient should be transferred from the financial assistance under Chapter 31 to the state.

(c) Requires rules adopted under the state program regarding work requirements, work exemptions, and time limits to allow for flexibility in designing customized requirements to accommodate each recipient's personal circumstances.

(d) Requires the rules, except as provided by Subsection (c), to be designed to result in a state program that is substantively identical to the financial assistance program authorized by Chapter 31, except to the extent that programmatic differences are appropriate because of the populations served by those programs and the sources of funding those programs.

(e) Requires HHSC, DHS, and TWC to form an interagency work group to develop the rules required under this section. Requires the interagency work group to provide for participation in development of the rules by representatives of the local workforce development boards.

Sec. 37.004. ELIGIBILITY FOR MEDICAL ASSISTANCE. Provides that a recipient of temporary assistance and related support services under the state program is eligible for medical assistance under Chapter 32 in the same manner as a person receiving financial assistance under Chapter 31.

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

SECTION 3. Effective date: September 1, 2003.