

BILL ANALYSIS

Senate Research Center

C.S.S.B. 627
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Health & Human Services
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Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, all children in intermediate care facilities for the mentally retarded (ICF-MR) are on the Medicaid waiver waiting lists; the wait often exceeds 10 years for the child to get into a family environment. These years are critical years in the child's development.

C.S.S.B. 627 initiates a pilot program for children in large ICF-MRs wherein money appropriated for certain institutional care for these children would be transferred to provide community-based services to those children. This pilot program would include up to 50 children per year over the biennium. To avoid additional costs to the state, as a child is moved from a facility, a bed may be decertified by the commissioner of the aging and disability services.

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 Subchapter D, Chapter 161, Human Resources Code, by adding Section 161.075, as follows:

Sec. 161.075. PILOT PROGRAM FOR TRANSFER OF MONEY FOR COMMUNITY-BASED SERVICES FOR CERTAIN CHILDREN. (a) Defines "child," "health and human services agency," and "ICF-MR."

(b) Requires the Department of Aging and Disability Services (DADS) to establish a pilot program under which DADS and the Health and Human Services Commission (HHSC) have certain responsibilities.

(c) Requires HHSC to ensure that the amount transferred under this section is redirected by HHSC or DADS, as applicable, to one or more community-based programs to provide community-based services to the child after the child leaves a ICF-MR facility.

(d) Authorizes DADS, during each state fiscal year, to notify HHSC under Subsection (b)(1)(B) with respect to not more than 50 children leaving a facility, and requires HHSC to direct that money be transferred under Subsection (b)(2) with respect to those children.

(e) Authorizes HHSC to decertify an appropriate Medicaid bed for each child who leaves an ICF-MR facility and for whom money is transferred under Subsection (b)(2). Requires the commissioner of aging and disability services to consider the entire bed plan for ICF-MRs when making any decision to decertify a bed, in order to maintain the viability of small ICF-MR providers.

(f) Requires DADS and HHSC, no later than December 1, 2006, to jointly prepare and submit a report concerning the effectiveness of the pilot program to the governor and the committees of each house of the legislature that have primary oversight jurisdiction over health and human services. Requires the report to include certain information.

(g) Provides that this section expires September 1, 2007.

SECTION 2. Requires DADS, no later than December 1, 2005, to implement the pilot program under Section 161.075, Human Resources Code, as added by this Act.

SECTION 3. Authorizes delay of implementation until necessary federal waivers or authorizations are obtained.

SECTION 4. Effective date: September 1, 2005.