

BILL ANALYSIS

Senate Research Center
83R7321 AJZ-F

S.B. 872
By: Deuell
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Health care for indigent Texas residents is provided and paid for under the Indigent Health Care and Treatment Act (Chapter 61, Health and Safety Code). Counties are responsible for the payment of health care for indigent persons not residing in the service area of a public hospital or hospital district. A county is eligible for state assistance in paying for indigent health care after the county spends in a state fiscal year at least eight percent of the county general revenue levy for that year to provide health care to eligible county residents.

The state has been granted an 1115 waiver for a demonstration project to expand services for Medicaid patients in Texas. Under the 1115 demonstration waiver program, many counties are making intergovernmental transfers of funds to the state, to be used to draw matching federal dollars for Medicaid services.

S.B. 872 will grant credit toward meeting the eight percent expenditure requirement for state assistance under the Indigent Health Care and Treatment Act to a county that provides an intergovernmental transfer under the 1115 demonstration waiver program.

As proposed, S.B. 872 amends current law relating to county expenditures for certain health care services.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

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 Section 61.036, Health and Safety Code, by adding Subsection (d), as follows:

(d) Authorizes a county, regardless of the application, documentation, and verification procedures or eligibility standards established by the Texas Department of Health under Subchapter A (General Provisions), to credit an intergovernmental transfer to the state toward eligibility for state assistance if the transfer was made to provide health care services as part of a waiver program under 42 U.S.C. Section 1315 or 42 U.S.C. Section 1396n.

SECTION 2. (a) Provides that the change in law made by this Act applies only to state assistance for health care services under Chapter 61 (Indigent Health Care and Treatment Act), Health and Safety Code, as amended by this Act, that are delivered on or after the effective date of this Act.

(b) Provides that state assistance for health care services under Chapter 61, Health and Safety Code, that are delivered before the effective date of this Act is governed by the

law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. Effective date: upon passage or September 1, 2013.