

BILL ANALYSIS

Senate Research Center

C.S.S.B. 273
By: Zaffirini
Health & Human Services
2-27-97
Committee Report (Substituted)

DIGEST

Currently, almost all the funds Texans spend on programs for seniors fall under the category of "long-term care." Seventy percent of the entire Long-term Care Continuum appropriation is dedicated to payments to nursing homes. Many senior Texans make poor choices about the kind and amount of "long-term care" they need. A consumer guide regarding such "long-term care" has been recommended by the Texas Performance Review Recommendation. This bill would require the comptroller to develop, with the assistance from an interagency work group, such a consumer guide. This bill would provide that the consumer guide contain comprehensive information on services available to senior citizens, including long-term care services, housing assistance, meals, personal care, and transportation.

PURPOSE

As proposed, C.S.S.B. 273 provides for development and updating of a senior citizen consumer guide by the comptroller.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Board on Aging in SECTION 2 (Section 101.031, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 403A, Government Code, by adding Section 403.026, as follows:

Sec. 403.026. SENIOR CITIZEN CONSUMER GUIDE; INTERAGENCY WORK GROUP. Requires the comptroller to develop and annually update a statewide consumer guide for senior citizens designed to assist senior citizens and their families in making informed choices regarding senior services. Sets forth requirements for the guide. Sets forth the composition of an interagency work group created to assist the comptroller in developing and updating the guide. Authorizes the comptroller to request that other state agencies or universities designate representatives to serve on the work group if the agency or university requested to participate has an employee with specialized expertise or knowledge of a subject matter to be included in the guide. Provides that a member of the work group serves at the will of the appointing entity. Requires the comptroller to appoint a member of the work group to serve as presiding officer. Requires the member of the group to elect any other necessary officers. Requires the work group to meet at the call of the presiding officer. Provides that the appointing entity is responsible for the expenses of a member's service on the work group. Provides that a member of the work group received no additional compensation for serving on the work group. Provides that the work group is not subject to Article 6252-33, V.T.C.S., relating to state agency advisory committees. Requires the entities specified in this section to take all action necessary to assist the comptroller in developing and updating the guide. Authorizes the work group to modify the contents of the guide if the modifications do not detract from the goal of increasing consumer access to senior services. Requires the comptroller to make the guide available to the public through the Internet and each area agency on aging, and, on request, to another state agency in electronic format. Requires the interagency work group to consult with consumer and provider groups involved in the delivery of long-term care services when conducting the work needed to develop the

guide.

SECTION 2. Amends Chapter 101B, Human Resources Code, by adding Section 101.031, as follows:

Sec. 101.031. SENIOR CITIZEN CONSUMER GUIDE; SUPPORT AND DISTRIBUTION. Requires the Texas Board on Aging (board), by rule, to require an area agency on aging to submit annually to the comptroller current information on local service providers and resources for senior citizens for inclusion in the senior citizen consumer guide. Requires each agency to provide the information in a format prescribed by the comptroller. Requires an area agency on aging to make the guide available to as many senior citizens in the agency's service area as possible.

SECTION 3. Requires each area agency on aging to submit to the comptroller information on local resources for senior citizens in the agency's area for inclusion in the initial senior citizen consumer guide created under Section 403.026, Government Code, as added by this Act, no later than January 10, 1998.

SECTION 4. Requires the comptroller to provide opportunity for review and comment of the guide to consumer and provider groups involved in the delivery of long-term care services prior to completion of the guide. Requires the comptroller to complete development of and make available the guide required by Section 403.026, Government Code, as added by this Act, no later than February 14, 1998.

SECTION 5. Requires the interagency work group created under Section 403.026(b), Government Code, as added by this Act, to prepare and deliver to the standing committees of the senate and house of representatives with primary jurisdiction over human services a report regarding the effectiveness of the senior citizen consumer guide required by Section 403.026, Government Code, as added by this Act, no later than January 15, 1999.

SECTION 6. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Amends SECTION 1, Section 403.026, Government Code, to require the comptroller to annually, instead of periodically, update the statewide consumer guide specified in this Act. Revises proposed contents of the consumer guide. Revises the proposed composition of the work group. Deletes provision authorizing the Health and Human Services Commission to shift resources between health and human services agencies as necessary to facilitate the development of the guide. Authorizes the work group to modify the guide. Revises proposed provisions for the release of the guide to the public by the comptroller. Requires the work group to consult with certain consumer and provider groups in developing the guide.

Amends SECTION 2, Section 101.031, Human Resources Code, to provide a new heading. Revises the proposed provisions of Section 101.031, Human Resources Code. Deletes proposed Section 101.032, Human Resources Code, and the proposed rulemaking authority granted to the Texas Board on Aging.

Amends SECTION 3, by deleting session law relating to Section 101.032, Human Resources Code. Sets forth session law in regard to area agencies on aging submitting information to the comptroller.

Amends SECTION 4, by requiring the comptroller to consult with certain consumer and provider groups prior to completion of the guide. Replaces the deadline of January 1, 1998 by which the comptroller shall complete the consumer guide, with a deadline of February 14, 1998.