

BILL ANALYSIS

Senate Research Center
80R3176 CLG-D

S.B. 1865
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There are over 600,000 estimated older adults and non-aged persons who need help with daily living and who are at or below 220 percent of the federal poverty level. About two-thirds of this population receives all of their long-term care informally from family and friends. Respite care services, which provide temporary care to those persons supported by informal caregivers to help relieve the caregivers' burden, are the support services most often requested by those caregivers, but access to respite care for persons with long-term care needs in Texas is limited due to funding and provider availability. Currently, the Department of Aging and Disability Services administers limited respite care for older adults and certain non-aged persons with disabilities.

Efforts to support caregivers play an important role in sustaining the informal care system and avoiding future Medicaid institutional spending. Research suggests that caregiver support services may help to reduce the strain of caregiving responsibilities and allow informal caregivers to remain in the workforce and delay or prevent neglect, abuse, or expensive institutionalization of the care recipient.

As proposed, S.B. 1865 requires DADS to implement a lifespan respite care pilot program. This bill establishes the pilot program on models implemented in other states to improve access to respite care for persons with long-term care needs by building state and local infrastructure to support the provision of respite services.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 161.075, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter G, Chapter 161, Human Resources Code, by adding Section 161.075, as follows:

Sec. 161.075. LIFESPAN RESPITE SERVICES PILOT PROGRAM. (a) Defines "respite services."

(b) Requires the Department of Aging and Disability Services (DADS) to develop and implement the lifespan respite services pilot program (pilot program) to promote the provision of respite services. Requires the executive commissioner of the Health and Human Services Commission (executive commissioner), as part of the pilot program, to contract with community-based organizations or local governmental entities selected by DADS to provide respite services or to facilitate access to local respite services.

(c) Sets forth certain actions that a community-based organization or local governmental entity that receives a contract under this section are authorized to take in facilitating access to local respite services.

(d) Sets forth certain tasks required to be completed by DADS in implementing the pilot program.

(e) Requires the executive commissioner to adopt certain rules necessary to implement the pilot program.

(f) Requires DADS and the executive commissioner to review similar initiatives in other states in the respective tasks of developing the pilot program and adopting rules under this section.

(g) Expiration date, this section: September 1, 2011.

SECTION 2. Requires the executive commissioner, in consultation with DADS, to submit a report to the governor and the Legislative Budget Board regarding the pilot program established under Section 161.075, Human Resources Code, as added by this Act. Requires the report to include an evaluation of certain effects of the pilot program.

SECTION 3. Effective date: September 1, 2007.