

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 26, 2011  
Date

Honorable David Dewhurst  
President of the Senate

Honorable Joe Straus  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HOUSE BILL 871 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

J. Zaffirini  
Sen. Judith Zaffirini, Chair

John Carona  
Sen. John Carona

Bob Deuell  
Sen. Bob Deuell

Kevin Eltife  
Sen. Kevin Eltife

Jose Rodriguez  
On the part of the Senate Sen. Jose Rodriguez

Yvonne Davis  
Rep. Yvonne Davis, Chair

Garnet Coleman  
Rep. Garnet Coleman

Lance Gooden  
Rep. Lance Gooden

Elliott Naishtat  
Rep. Elliott Naishtat

Ron Reynolds  
On the part of the House Rep. Ron Reynolds

## Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 871

A BILL TO BE ENTITLED

AN ACT

relating to indigent health care services that may be provided by a county.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 61.0285(a), Health and Safety Code, is amended to read as follows:

(a) In addition to basic health care services provided under Section 61.028, a county may, in accordance with department rules adopted under Section 61.006, provide other medically necessary services or supplies that the county determines to be cost-effective, including:

- (1) ambulatory surgical center services;
- (2) diabetic and colostomy medical supplies and equipment;
- (3) durable medical equipment;
- (4) home and community health care services;
- (5) social work services;
- (6) psychological counseling services;
- (7) services provided by physician assistants, nurse practitioners, certified nurse midwives, clinical nurse specialists, and certified registered nurse anesthetists;
- (8) dental care;
- (9) vision care, including eyeglasses;
- (10) services provided by federally qualified health

1 centers, as defined by 42 U.S.C. Section 1396d(1)(2)(B);

2 (11) emergency medical services; ~~and~~

3 (12) physical and occupational therapy services; and

4 (13) any other appropriate health care service  
5 identified by department ~~board~~ rule that may be determined to be  
6 cost-effective.

7 SECTION 2. The executive commissioner of the Health and  
8 Human Services Commission shall adopt rules necessary to implement  
9 Section 61.0285, Health and Safety Code, as amended by this Act, as  
10 soon as practicable after the effective date of this Act.

11 SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2011.

**House Bill 871**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 61.0285(a), Health and Safety Code, is amended.

No equivalent provision.

No equivalent provision.

SECTION 2. Requires the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement Section 61.0285, Health and Safety Code, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date.

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION \_\_. Section 61.038(b), Health and Safety Code, is amended to require the state funds provided to a county for the provision of indigent health care services to be equal to the amount of the actual payment for the health care services for the county's eligible residents during the remainder of the state fiscal year after the eight percent expenditure level is reached. [FA1]

SECTION \_\_. Makes Section 61.038(b), Health and Safety Code, as amended, applicable beginning with the state fiscal year that begins September 1, 2011. [FA1]

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

SECTION 1. Same as House version.

Same as House version.

Same as House version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 27, 2011**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB871** by Davis, Yvonne (Relating to indigent health care services that may be provided by a county. ), **Conference Committee Report**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code to authorize a county to provide physical and occupational therapy if the county determines those services to be cost-effective.

The bill would require the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement Section 61.0285 of the Health and Safety Code, as amended by provisions of the bill, as soon as practicable after the effective date of the bill. The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2011.

**Local Government Impact**

It is assumed that a county would implement physical and occupational therapy services if the costs could be absorbed within existing resources.

No significant fiscal implication to units of local government is anticipated.

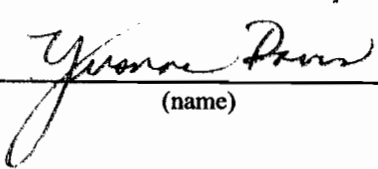
**Source Agencies:**

**LBB Staff:** JOB, CL, KKR, TP

## Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 871 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

  
(name)

5/26/2011  
(date)