

## **BILL ANALYSIS**

C.S.H.B. 3117  
By: Schaefer  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Health and Human Services Commission (HHSC) develops a two-year long-term care plan to determine the need for beds at intermediate care facilities for individuals with intellectual and developmental disabilities (ICF-IID). It has been suggested that HHSC is not explicitly required to take into account the specific needs of a given community when determining the number of ICF-IID beds for a particular region, which can lead to a facility lacking licensed beds sufficient to meet demand, despite having the capacity. Such a facility may then be forced to place families on an interest list, which can lead to waiting for years before a bed becomes available. C.S.H.B. 3117 seeks to address this issue by requiring as part of the proposed plan a review of the statewide ICF-IID bed capacity and the development of a process to reallocate beds held in suspension.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3117 amends the Health and Safety Code to require the Health and Human Services Commission (HHSC), as part of its proposed plan on long-term care for persons with an intellectual disability to review the statewide bed capacity of community ICF-IID facilities for individuals with an intellectual disability or a related condition and, based on the review, develop a process to reallocate beds held in suspension by HHSC. The process may include criteria by which ICF-IID program providers may apply to HHSC to receive reallocated beds and a means to reallocate the beds among health services regions.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3117 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a consideration of the needs of the community to be served as a

required consideration in developing the proposed plan, but the substitute requires HHSC as a part of that proposed plan instead to review the statewide bed capacity of community ICF-IID facilities for applicable individuals and to develop a process to reallocate beds held in suspension by HHSC.