

BILL ANALYSIS

S.B. 1784
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Although state law provides a cap on the amount that may be paid to guardians of certain Medicaid recipients, it has been reported that the cost of providing guardianship services has increased since that cap was set. Accordingly, the number of counties served by nonprofit guardianship programs has decreased in recent years. S.B. 1784 seeks to address the rising costs of providing guardianship services and encourage the provision of services for certain Medicaid recipients throughout the state by raising the cap on the amount that may be paid to guardians of these recipients.

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

S.B. 1784 amends the Estates Code to increase from \$175 per month to \$250 per month the cap on the amount of compensation that may be ordered by a court that appoints a guardian of a Medicaid recipient who has applied income to be deducted as an additional personal needs allowance in the computation of the recipient's applied income. This increase applies to a guardianship created before, on, or after the bill's effective date.

EFFECTIVE DATE

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