

SUBJECT: Children with Special Health Care Needs Program name change, waitlist

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 8 ayes — Cook, Giddings, Farney, Geren, Harless, Huberty, Kuempel, Smithee

0 nays

4 absent — Craddick, Farrar, Oliveira, Sylvester Turner

WITNESSES: For — None

Against — None

On — (*Registered, but did not testify*: Sam Cooper, Department of State Health Services)

BACKGROUND: Health and Safety Code, ch. 35 establishes the Children with Special Health Care Needs (CSHCN) Services Program within the Department of State Health Services. A person eligible to receive services under the CSHCN program is defined as someone younger than 21 years of age who has a chronic physical or developmental condition, or as someone who has cystic fibrosis, regardless of the person's age. The executive commissioner of the Health and Human Services Commission also is empowered to establish further eligibility qualifications by rule, including by defining medical, financial, and other criteria for service.

The CSHCN program provides services including early identification of children with special health care needs and case management services to eligible individuals. If the program has budgetary limits, the executive commissioner may establish a waiting list if necessary.

Because the program serves individuals above the age of 21 who have cystic fibrosis, some have found the program's name and language misleading. In addition, a 2006 report found that many recipients of the

CSHCN program, which maintains a waitlist, are not lawfully present in the United States.

DIGEST: CSHB 2835 would rename the Children with Special Health Care Needs program the “Texas Special Health Care Needs Program,” and amend the language throughout chapter 35 to replace the word “child” or “children” with “person.” The bill would make several conforming changes in language to reflect this overall change.

To the extent allowable under federal law, the bill would require the Department of State Health Services to give priority for services to those on the waitlist who could provide proof of U.S. citizenship. The executive commissioner of the Health and Human Services Commission would be required to adopt rules to implement the change.

The changes in law to waiting list criteria would apply to eligible persons placed on the waiting list following an initial determination or redetermination of eligibility for services made on or after September 1, 2015.

The bill would take effect September 1, 2015.

NOTES: The Legislative Budget Board estimates CSHB 2835 would have a negative impact of \$1.3 million on general revenue in fiscal 2016 due mainly to technology costs.