

BILL ANALYSIS

Senate Research Center

H.B. 2084
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Health & Human Services
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Engrossed

DIGEST

In December 1996, the interim report on long-term care from the Texas House Committee on Human Services was published. The report directed the "Department of Human Services and the appropriate state agencies to develop a voucher system of long-term care services as a pilot program."

Rather than creating a separate program to pilot vouchers, this bill would create a voucher option in two existing long-term service programs. Both the Texas Department of Human Services (DHS) Client-Managed Attendant Services program and the Texas Rehabilitation Commission (TRC) Personal Attendant Services Program currently have two payment options: 10 agency delivered (where the assistant is the employee of the provider agency) and 20 block grant "flow through" (where a consumer can receive a lump sum and pay the assistant directly, and the assistant is the employee of the consumer). The intent is not to eliminate these options, but rather to create a true choice model, with a spectrum of payment options.

This bill requires DHS, TRC, the comptroller, and other appropriate agencies, to establish a voucher pilot program relating to long-term care in the DHS Client-Managed Attendant Services Program and the TRC Personal Attendant Services program.

PURPOSE

As proposed, H.B. 2084 requires the Department of Human Services (DHS), the Texas Rehabilitation Commission (TRC), the comptroller and other appropriate agencies, to establish a voucher pilot program relating to long-term care in the DHS Client-Managed Attendant Services Program and the TRC Personal Attendant Services program.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Department of Human Services in SECTION 1 (Section 22.032(b), Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 22, Human Resources Code, by adding Sections 22.032 and 22.033, as follows:

Sec. 22.032. VOUCHER PILOT PROJECT. Defines "consumer," "long-term care," "personal assistance service," and "respite services." Requires the Department of Human Services (DHS), by rule, to develop and ensure the implementation of a pilot project in which the use of vouchers is established as a payment option for the delivery of long-term care services, personal assistance services, and respite services. Requires DHS, in adopting rules under this section, to take certain actions in reference to the pilot project. Requires the Texas Rehabilitation Commission (TRC) and the comptroller to provide information to DHS as necessary to facilitate the development and implementation of the pilot project. Requires DHS to implement the pilot project according to certain provisions. Requires DHS, not later than March 1, 1999, to submit to the governor and the 76th Legislature a report on the feasibility of expanding the voucher payment pilot project statewide to Medicaid-funded service programs. Provides that this section expires September 1, 2002.

Sec. 22.033. WORK GROUP. Provides that a work group is created to assist DHS in developing, implementing, and evaluation the voucher payment pilot project under Section 22.032. Sets forth the composition of the work group. Requires a majority of the members of the work group to be composed of consumers of personal assistance services or respite services. Provides that a member of the work group serves at the will of the appointing agency. Requires the commissioner of human services and the commissioner of TRC to jointly appoint a member of the work group to serve as presiding officer, and requires members of the work group to elect any other necessary officers. Requires the work group to meet at the call of the presiding officer. Provides that a member of the work group receives no additional compensation for serving on the work group. Provides that the work group is not subject to Article 6252-33, V.T.C.S. Provides that this section expires September 1, 2002.

SECTION 2. (a) Effective date: September 1, 1997.

(b) Requires DHS to establish the pilot project required by Section 22.032, Human Resources Code, as added by this Act, not later than January 1, 1998.

SECTION 3. Emergency clause.