

## **BILL ANALYSIS**

Senate Research Center

H.B. 2984  
By: Hunter (Zaffirini)  
Health & Human Services  
5-17-97  
Committee Report (Amended)

### **DIGEST**

Chronically ill children constitute one of the highest cost groups for numerous state programs, including public assistance and education. The number of children in need of continuous long-term medical care is expected to increase as is the cost of care and special educational requirements. Before the state adopts a long-term health and education program for such children, it needs reliable information. A limited term pilot program under oversight of the Texas Board of Health could provide the legislature the information needed for this long-term plan. This bill will provide regulations regarding the establishment of a pilot program regarding the care, rehabilitation, and education of medically fragile children and their families.

### **PURPOSE**

As proposed, H.B. 2984 provides regulations regarding the establishment of a pilot program regarding the care, rehabilitation, and education of medically fragile children and their families.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 35, Health and Safety Code, by adding Sections 35.014-35.019, as follows:

Sec. 35.014. CARE OF MEDICALLY FRAGILE CHILDREN; POLICY. Sets forth legislative findings regarding the care of medically fragile children and sets forth the policy of this state.

Sec. 35.015. PILOT PROGRAM. Requires the Texas Board of Health (board) to establish a pilot program to study and research the unique health care, maintenance, education, social, and related needs of medically fragile children and their families in this state. Requires the board to select a nonprofit private entity to operate the pilot program. Authorizes the board to provide the entity that operates the pilot program a grant in an amount not to exceed \$400,000 during each fiscal year to cover the costs of operating the program.

Sec. 35.016. PROGRAM CRITERIA. Requires the board to require the pilot program study to include certain criteria.

Sec. 35.017. SELECTION. Requires the board, in selecting the entity to operate the pilot program, to consider the extent to which an entity meets certain requirements.

Sec. 35.018. TERM; REPORT AND REVIEW. Provides that the selection of an entity to operate the pilot program is effective until the fifth anniversary of the selection date. Sets forth regulations regarding filing of a report. Requires the Sunset Advisory Commission to review the report submitted by the board and include any appropriate recommendations regarding the pilot program in its report to the 77th Legislature.

Sec. 35.019. RULES. Authorizes the board to adopt rules to implement this section and to

obtain the necessary reports and records to fulfill its monitoring and reporting requirement to the Sunset Advisory Commission and the legislature.

SECTION 2. Amends Section 35.002, Health and Safety Code, by adding Subdivision (9) and renumbering the subsequent subdivisions, to define "medically fragile child."

SECTION 3. Effective date: September 1, 1997, but only if the 75th Legislature appropriates money to fund the pilot program to assist medically fragile children and their families as required by Section 35.015, Health and Safety Code, as added by this Act. Requires the Texas Board of Health to select an entity to run the pilot program required under Section 35.017, Health and Safety Code, as added by this Act, not later than January 1, 1998.

SECTION 4. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

Amendment 1.

Amend by striking SECTION 3 of the bill and substituting the following:

SECTION 3. This Act takes effect September 1, 1997, but only if the 75th Legislature appropriates money to fund the pilot program to assist medically fragile children and their families as required by Section 35.015, Health and Safety Code, as added by this Act. The Texas Board of Health shall select an entity to run the pilot program required under Section 35.017, Health and Safety Code, as added by this Act, not later than January 1, 1998.