

BILL ANALYSIS

Senate Research Center

C.S.S.B. 775
By: Nixon
Health & Human Services
4-28-97
Committee Report (Substituted)

DIGEST

Currently, individuals seeking eligibility for assistance and services through a Texas health and human services agency must meet various criteria for eligibility depending on the program, including documentation of resources and income. If a client is unwilling to provide necessary documentation, the agencies deny eligibility; however, agencies rely on promulgated rules instead of statute as a basis for denial of these benefits. This legislation prohibits an agency from providing certain financial or medical assistance to a person who fails to provide the necessary documentation, with certain exceptions, in an effort to strengthen the enforcement of eligibility standards. C.S.S.B. 775 authorizes a health and human services agency to accept alternate documents and use alternate verification methods that are adequate to establish the eligibility of a person for the assistance if the agency does not require another person to produce the document.

PURPOSE

As proposed, C.S.S.B. 775 establishes the eligibility for certain public assistance administered by health and human services agencies.

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 531B, Government Code, by adding Section 531.047, as follows:

Sec. 531.047. DOCUMENTS NECESSARY FOR ELIGIBILITY DETERMINATION. Prohibits a health and human services agency, except as provided by Subsection (b), from providing financial assistance under Chapter 31, Human Resources Code, or medical assistance under Chapter 32, Human Resources Code, to a person who fails to provide to the agency a document necessary to determine eligibility for the assistance. Authorizes a health and human services agency to accept alternate documents and use alternate verification methods that are adequate to establish the eligibility of a person for the assistance if the agency does not require another person to produce a document. Provides that this section does not apply to a determination of eligibility that is required to be postponed under state or federal law.

SECTION 2. Sets forth the terms by which the Health and Human Services Commission is required to request a waiver or authorization from a federal agency and to delay implementing certain provisions until the waiver or authorization is granted.

SECTION 3. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amends the relating clause to replace the reference to "public assistance benefits" with "certain public

assistance."

SECTION 1.

Replaces all references to "public assistance benefits" with "financial assistance under Chapter 31, Human Resources Code or medical assistance under Chapter 32, Human Resources Code." Provides an exception to Subsection (a), by authorizing a health and human services agency to accept alternate documents and use alternate verification methods that are adequate to establish the eligibility of a person for the assistance under certain circumstances. Establishes that this section does not apply to a determination of eligibility that is required to be postponed under state or federal law.

SECTION 2.

Sets forth the terms by which the Health and Human Services Commission is required to request a waiver or authorization from a federal agency and to delay implementing certain provisions until the waiver or authorization is granted.