

BILL ANALYSIS

Senate Research Center
76R3303 KKA-D

S.B. 1258
By: Moncrief
Health Services
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As Filed

DIGEST

Currently, the Community Based Alternatives program, of the Texas Department of Human Services pays Home and Community Support Services Agencies (HCSSAs) \$140 to assess potential clients for program eligibility. Typically, these same HCSSAs then provide services to the clients. This creates a conflict of interest on the part of the provider which could be eliminated. S.B. 1258 would require that HCSSAs certify that clients for Medicaid waiver programs cannot also serve the client except in cases where there is already a relationship or in which there are no other readily available providers.

PURPOSE

As proposed, S.B. 1258 requires restrictions on certain providers of home and community care under Medicaid waiver programs.

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 32B, Human Resources Code, by adding Section 32.052, as follows:

Sec. 32.052. RESTRICTION ON HOME AND COMMUNITY SUPPORT SERVICES AGENCIES UNDER CERTAIN PROGRAMS. Requires the Texas Department of Human Services by rule to prohibit a home and community support services agency licensed under Chapter 142, Health and Safety Code, from providing services under a medical assistance program authorized by federal waiver to a person whom the agency assessed and certified as eligible to receive the service, unless certain conditions exits.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.