

## **BILL ANALYSIS**

Senate Research Center  
76R6242 KKA-D

C.S.S.B. 95  
By: Moncrief  
Health Services  
2/24/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, people are living longer, and an inevitable increase of the state's elderly population emphasizes the importance for the state to plan for delivery of long term care services. Although the state does not have a strategic plan addressing state policy for the delivery of long-term care, the population of persons age 65 years and older will increase an estimated 155 percent between 1990 and 2025, straining the state's health resources. Work groups created by state health and human service agencies to address long-term care, community services, and health services could develop a strategic plan for the state. S.B. 95 requires appropriate health and human services agencies to develop a strategic plan concerning the delivery of long-term care and health services for the elderly and disabled population, and to submit a report to the 77th Legislature.

### **PURPOSE**

As proposed, C.S.S.B. 95 requires any appropriate health and human services agency to develop a strategic plan concerning the delivery of long-term care and health services for the elderly and disabled population.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

**SECTION 1. DETERMINATION OF HOME HEALTH SERVICES DUAL COVERAGE.** Defines "home health services." Requires the Health and Human Services Commission (commission) and any appropriate health and human services agency (agency) to obtain federal and state information to determine the number of eligible people receiving home health services paid by Medicaid and Medicare, and the percentage of the total benefits paid by Medicaid and Medicare.

**SECTION 2. CONSOLIDATED COMPLAINT INTAKE SYSTEM.** Requires the commission with assistance from certain agencies, and with the participation of consumers of relevant services, to develop a strategic plan for the creation of a consolidated intake system for complaints made to an agency involving abuse, neglect, or exploitation of a person. Sets forth requirements for the strategic plan. Requires the commission to submit a report and recommendations to the governor and legislature by December 1, 2000.

**SECTION 3. STATE REGISTRY OF HEALTH CARE WORKERS.** Requires the commission, Department of Protective and Regulatory Services (DPRS), Texas Department of Human Services (DHS), Texas Department of Health (TDH), and any other appropriate agency, to develop a strategic plan for the creation and maintenance of a state registry to contain the names of health care workers determined to have abused, neglected, or exploited a resident of an assisted living facility or an individual receiving services through a home and community support services agency. Requires the plan to include recommendations regarding due process for health care workers and public access to the registry. Requires the commission to submit a report and recommendations to the governor and the legislature.

**SECTION 4. WORK GROUP ON REGULATION OF BRAIN INJURY REHABILITATION PROGRAMS.** Requires the Texas Rehabilitation Commission (TRC) to form a work group to study the national accreditation standards of facilities that provide brain injury rehabilitation services and make recommendations concerning state certification. Requires TRC to include in the group representatives of brain injury rehabilitation facilities and consumers of the rehabilitation services. Requires the group to elect a presiding officer and any necessary officers. Requires the presiding officer to schedule meetings. Prohibits

members of the group from receiving compensation. Provides that the work group is not subject to Chapter 2110, Government Code. Requires the group to complete the tasks in Subsection (a) and submit a report to the governor and legislature no later than December 1, 2000. Provides that the group and this section expires September 1, 2001.

**SECTION 5. PERSONAL CARE ATTENDANT TRAINING.** Requires DHS, Texas Workforce Commission, TRC, Texas Commission for the Blind, Texas Commission for the Deaf and Hard of Hearing, and Texas Higher Education Coordination Board to review and develop recommendations for personal care attendants. Requires DHS to submit a report to the governor and legislature by December 1, 2000.

**SECTION 6. AFFORDABLE HOUSING AND HOME AND COMMUNITY SUPPORT SERVICES STUDY.** Requires the Texas Department of Housing and Community Affairs (DHCA), and each appropriate agency to study opportunities for providing home and community support services to residents of affordable housing developments and participants in other affordable housing programs. Requires DHCA to identify available funding sources for services, buildings, and architectural upgrades. Requires DHCA to submit a report to the governor and legislature no later than December 1, 2000. Deletes text regarding linking affordable housing programs with home and community support services.

**SECTION 7.** Emergency clause.  
Effective date: upon passage.

## **SUMMARY OF COMMITTEE CHANGES**

### **SECTION 2.**

Requires the commissioner with agency assistance and with the participation of consumers of relevant services, to develop a strategic plan for the creation of a consolidated intake system for complaints made to an agency involving the abuse, neglect, or exploitation of a person.

### **SECTION 3.**

Requires the commission, Department of Protective and Regulatory Services (DPRS), Texas Department of Human Services (DHS), Texas Department of Health (TDH), and any other appropriate agency, to develop a strategic plan for the creation and maintenance of a state registry to contain the names of health care workers determined to have abused, neglected, or exploited a resident of an assisted living facility or an individual receiving services through a home and community support services agency.

### **SECTION 6.**

Requires the Texas Department of Housing and Community Affairs (DHCA), and each appropriate agency to study opportunities for providing home and community support services to residents of affordable housing developments and participants in other affordable housing programs. Deletes text regarding linking affordable housing programs with home and community support services.