

BILL ANALYSIS

Senate Research Center
77R15368 JRD-F

C.S.H.B. 2602
By: Coleman (Moncrief)
Health & Human Services
5/8/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

In 1999, the 76th Legislature updated the state Indigent Health Care and Treatment Act of 1985, shifting the focus of county indigent health care programs to primary and preventive care, and giving counties more flexibility to administer local programs tailored to meet local needs. The changes lowered the spending threshold that a county must surpass to receive state financial assistance, created a list of optional services a county may provide and receive credit toward its threshold, and allowed counties to use less restrictive eligibility standards. Accountability was increased by allowing providers to collect eligibility information from patients, permitting the Texas Department of Health to resolve eligibility disputes and improve reporting. C.S.H.B. 2602 ensures proper implementation of the reforms enacted in 1999 by clarifying various provisions of the Indigent Health Care and Treatment Act.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 61.006(b), Health and Safety Code, to require the minimum eligibility standards to incorporate a net income eligibility level equal to 21, rather than 25, percent of the federal poverty level based on the federal Office of Management and Budget poverty index.

SECTION 2. Amends Section 61.032(e), Health and Safety Code, to authorize the county or the provider, if the county and the provider disagree on the patient's eligibility, to submit the matter to the Texas Department of Health (department) as provided by Section 61.004.

SECTION 3. Amends Section 61.0395(b), Health and Safety Code, to authorize, rather than require, the department to adopt rules governing the distribution of state assistance under this chapter that establish a maximum annual allocation for each county eligible for assistance under this chapter in compliance with Subsection (a).

SECTION 4. Amends Section 61.059(e), Health and Safety Code, to make a conforming change.

SECTION 5. Amends Sections 46.003(a) and (e), Health and Safety Code, as added by Chapter 969, Acts of the 76th Legislature, Regular Session, 1999, as follows:

(a) Provides an exception to this subsection.

(e) Sets forth certain requirements for the amount remaining in the tertiary care account after a certain amount is held in reserve.

SECTION 6. Amends Section 466.408(b), Government Code, to authorize money deposited in the tertiary care facility account to only be appropriated to the department for purposes specified in Chapter 61 (Indigent Health Care and Treatment Act), Health and Safety Code.

SECTION 7. Repealer: Section 61.006(b-2), Health and Safety Code.

SECTION 8. (a) Provides that the changes in law made by this Act to Chapter 61, Health and Safety Code, take effect September 1, 2001.

(b) Effective date: upon passage or 90 days after adjournment, except as provided by Subsection (a) of this section.

SUMMARY OF COMMITTEE CHANGES

Amends Engrossed H.B. 2602 as follows:

SECTION 3. Maintains existing text of Sections 61.0395(b) and (c) which were proposed for deletion in the original, and amends existing text of Subsection (b).

SECTION 5. Maintains existing text of Section 46.003(f) proposed for deletion in the original, and amends existing text of Sections 46.003(a) and (e).