

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 966  
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Health & Human Services  
4/23/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

In 1999, the United States Supreme Court ruled, in *L.C. and E.W. v. Olmstead*, that states are required to provide community-based services for disabled individuals if treatment professionals determine that it is appropriate and the individual does not object to placement in the community. One of the barriers in achieving the transition from institutional care to community-based services is that the funds budgeted to serve a disabled individual do not follow the individual into the community. C.S.H.B. 966 requires the Health and Human Services Commission to study possible ways to allow funds to more freely follow an individual from institutional care to community-based services.

### **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. Defines "health and human services agencies."

SECTION 2. Requires the Health and Human Services Commission (commission) to study the ways in which health and human services agencies may take certain actions.

SECTION 3. Requires the commission to consider ways in which the money may be redirected under existing law, whether the money could be redirected in advisable ways if changes were made in the General Appropriations Act, and advisable ways in which the money could be redirected that would require changes in general law.

SECTION 4. Requires each health and human services agency, at the commission's request, to provide information to the commission and assist the commission in performing the study.

SECTION 5. Requires the commission, not later than September 1, 2002, to report its conclusions and recommendations to certain state officers and entities.

SECTION 6. Provides that this Act expires June 1, 2003.

SECTION 7. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from Engrossed H.B. 966 by requiring the report required in SECTION 5 to be submitted by September 1, 2002, rather than November 1, 2002.