

## **BILL ANALYSIS**

Senate Research Center  
82R15970 JSC-D

H.B. 871  
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Health & Human Services  
4/28/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Counties are not currently authorized to provide physical and occupational therapy services as optional health care services under the state indigent health care program. Observers note that many of the state's poorest residents do not live near a hospital where they can access such services and that legislation is needed to add physical and occupational therapy services to the optional health care services authorized to be provided by a county under the Indigent Health Care and Treatment Act.

H.B. 871 amends current law relating to indigent health care services that may be provided by a county.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 61.0285(a), Health and Safety Code, to authorize a county, in addition to basic health care services provided under Section 61.028 (Basic Health Care Services), in accordance with Texas Department of Health (TDH) rules adopted under Section 61.006 (Standards and Procedures), to provide other medically necessary services or supplies that the county determines to be cost-effective, including physical and occupational therapy services and any other appropriate health care service identified by TDH rule, rather than Texas Board of Health rule, that may be determined to be cost-effective.

SECTION 2. Requires the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement Section 61.0285, Health and Safety Code, as amended by this Act, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2011.