

## **BILL ANALYSIS**

Senate Research Center  
83R5617 AED-D

H.B. 2276  
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Health & Human Services  
5/3/2013  
Engrossed

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

When the guardian of an individual with an intellectual disability inquires about the residential services available for the individual, the local authority is required by Section 533.038(d) of the Health and Safety Code to provide the person with information on all available options, including residential services offered at state supported living centers.

However, interested parties are concerned that many authorities either are not providing information on state supported living centers or are portraying the centers in negative light and discouraging guardians from placing an individual in a center. H.B. 2276 seeks to ensure that persons seeking certain residential services are given unbiased and informative written material about the services available at state supported living centers.

H.B. 2276 amends current law relating to notice of residential services available for persons with intellectual disabilities.

[**Note:** While the statutory reference in this bill is to the Texas Department of Mental Health and Mental Retardation (TXMHMR), the following amendments affect the Department of Aging and Disability Services, as the successor agency to TXMHMR.]

### **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 533.038, Health and Safety Code, by adding Subsection (g), to require the Texas Department of Mental Health and Mental Retardation (TXMHMR), in addition to the explanation required under Subsection (d) (relating to requiring a person with mental retardation, or a person's legally authorized representative, seeking residential services to receive a clear explanation of programs and services for which the person is determined to be eligible), to ensure that each person inquiring about residential services receives a pamphlet or similar informational material explaining that a state supported living center is authorized to be an option available to an individual who is eligible for those services, and information relating to whether appropriate residential services are available in the state supported living center located nearest to the residence of the proposed resident.

SECTION 2. Effective date: September 1, 2013.