

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 42
By: Zaffirini
Health & Human Services
4/6/2001
As Filed
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the Department of Human Services does not have a personal needs program to identify recipients of financial assistance who have high levels of barriers to employment. C.S.S.B. 42 directs the Department of Human Services to identify and address the needs of recipients of financial assistance and dependent children of recipients of financial assistance.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Human Services in SECTIONS 2 and 3 (Sections 31.00331, and 31.011, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 31.0032(a), Human Resources Code, to provide that, except as provided by Section 231.115, Family Code (Noncooperation by Recipient of Public Assistance), and Section 31.00331, if after an investigation the Texas Department of Human Services (department) or the Title IV-D agency determines that a person is not complying with a requirement of the responsibility agreement required under Section 31.0031, the department immediately shall apply appropriate sanctions or penalties regarding the assistance provided to or for that person under this chapter.

SECTION 2. Amends Chapter 31A, Human Resources Code, by adding Section 31.00331, as follows:

Sec. 31.00331. CASE REVIEW FOLLOWING NONCOMPLIANCE WITH CERTAIN REQUIREMENTS. (a) Requires the Department of Human Services (DHS), before applying a sanction or penalty to a person for noncompliance with a requirement of the responsibility agreement under Section 31.0031(d)(2), (6), (7) or (8), to conduct a case review to determine:

- (1) the reasons for the noncompliance; and
- (2) whether the provision of local support services will enable the person to comply with that requirement or prevent future noncompliance.

(b) Requires DHS to promptly refer the person to appropriate support services, if necessary.

(c) Requires DHS by rule to adopt criteria for determining when to apply a sanction or penalty described by Subsection (a) to a person for whom DHS conducts a case review under this section.

SECTION 3. Amends Chapter 31A, Human Resources Code, by adding Sections 31.011 as follows:

Sec. 31.011. NEEDS ASSESSMENT AND SUPPORT SERVICES FOR DEPENDENT CHILDREN. (a) Requires DHS to develop and implement a personal needs assessment program to identify the needs of dependent children of recipients of financial assistance that, if addressed would promote the welfare of the children.

(b) Requires DHS, after identifying the needs of a dependent child under this section, to refer the child to appropriate local support services as determined by DHS.

(c) Requires DHS by rule to adopt criteria for determining when a needs assessment should be conducted under this section.

SECTION 4. Requires DHS, not later than January 1, 2002, to develop and implement the personal needs assessment program required by Section 31.011, Human Resources Code as added by this Act.

SECTION 5. Requires a state agency, if before implementing any provision of this Act it determines that a waiver or authorization from a federal agency is necessary for implementation, to obtain the waiver or authorization and authorizes the state agency to delay implementing that provision until such waiver or authorization is granted.

SECTION 6. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Amends As Filed S.B. 42 by deleting proposed Sections 31.0111, 31.0128, 31.046, Human Resources Code, and proposed Section 302.044, Labor Code. Makes conforming changes.