

BILL ANALYSIS

Senate Research Center
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S.B. 1734
By: Nelson
Health & Human Services
3/24/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 1734 requires the Department of Assistive and Rehabilitative Services, in conjunction with other health and human services agencies, to evaluate cost-neutral ways to include eligible services for people with traumatic brain injury and spinal cord injury in the Medicaid program. This bill requires the Health and Human Services Commission to request federal approval to implement a Medicaid 1915(c) Home and Community-Based Services Waiver or to amend the Medicaid State Plan.

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 Subchapter D, Chapter 117, Human Resources Code, by adding Section 117.075, as follows:

Sec. 117.075. MEDICAID SERVICES FOR CERTAIN PERSONS WITH TRAUMATIC BRAIN OR SPINAL CORD INJURIES. (a) Defines "comprehensive rehabilitation services program."

(b) Requires the Department of Assistive and Rehabilitative Services (DARS) to determine whether services provided under the comprehensive rehabilitation services program (program) could be provided in a more cost-effective manner through the Medicaid program. Sets forth each of the approaches to provide those services under the Medicaid program that DARS is required to evaluate and compare for cost-effectiveness.

(c) Requires DARS to consider certain information in evaluating the cost-effectiveness of each approach to providing Medicaid services under Subsection (b).

(d) Requires the Health and Human Services Commission (HHSC), the Department of Aging and Disability Services (DADS), and the Texas Traumatic Brain Injury Advisory Council (council) to assist DARS as necessary in performing DARS duties under Subsections (b) and (c).

(e) Requires DARS to notify HHSC if DARS determines that services provided under the program could be provided in a more cost-effective manner through the Medicaid program. Requires HHSC and the executive commissioner of HHSC (commissioner), once notified by DARS, to perform certain duties in order to receive authorization and establish the program.

(f) Requires HHSC, subject to receipt of any necessary federal authorization, to ensure that eligible and ineligible persons for the program are receiving certain services, to ensure that persons in the program are also provided certain services not covered under the Medicaid program, and to designate and direct DARS to implement and coordinate the provision of services for the program or under the Medicaid program.

SECTION 2. Requires DARS to submit a report to the governor and the Legislative Budget Board detailing the results of DARS determinations and actions taken under Section 117.075, Human Resources Code, as added by this Act, not later than November 1, 2007.

SECTION 3. Effective date: September 1, 2007.