

BILL ANALYSIS

Senate Research Center
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H.B. 3401
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The percentage of obese adults in Texas is over 30 percent and is expected to increase to 57 percent by 2030 if current trends continue. The obesity epidemic has led to increases in the incidence of chronic diseases, which has placed a significant strain on the healthcare system and the state budget.

Many recipients of temporary assistance for needy families (TANF), Medicaid, and the supplemental nutrition assistance program (SNAP) use the Health and Human Services Commission (HHSC) online portal to view their benefits. This online portal provides an avenue through which the state can encourage recipients of these benefits to make healthier decisions regarding diet and exercise.

H.B. 3401 seeks to encourage healthy lifestyles among recipients of public benefits through Medicaid, TANF, and SNAP.

The bill requires HHSC to work with community-based organizations to encourage individuals receiving benefits through Medicaid, TANF, or SNAP to access existing online information and programs (including those available through the HHSC website) that provide nutrition and wellness education and promote healthy eating habits and a healthy lifestyle. The bill also requires HHSC to report to the legislature on the use of nutrition and wellness education information provided on HHSC's website, including feedback from Medicaid, TANF, and SNAP clients on the effectiveness of the information accessed and any available data on the number of individuals who accessed the information.

H.B. 3401 amends current law relating to nutrition and wellness education for certain recipients of certain state benefits.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 531.0995, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.0995, as follows:

Sec. 531.0995. NUTRITION AND WELLNESS EDUCATION. (a) Provides that this section applies to individuals receiving benefits under:

- (1) the financial assistance program under Chapter 31 (Financial Assistance and Service Programs), Human Resources Code;
- (2) the medical assistance program under Chapter 32 (Medical Assistance Program), Human Resources Code; or
- (3) the supplemental nutrition assistance program under Chapter 33 (Nutritional Assistance Programs), Human Resources Code.

(b) Requires the Health and Human Services Commission (HHSC) to work with community-based organizations to encourage individuals receiving benefits to access readily available and existing online information and programs, including information provided on HHSC's website, that provide nutrition and wellness education for the purpose of promoting healthy eating habits and a physically active lifestyle.

(c) Requires HHSC, not later than January 1, 2015, to report to the legislature on the use of nutrition and wellness education information provided on the HHSC website. Requires that the report include:

(1) feedback from clients on the effectiveness of the information accessed;
and

(2) any available data on the number of individuals who accessed the information.

(d) Authorizes the executive commissioner of HHSC to adopt rules to implement this section.

(e) Provides that this section expires September 1, 2015.

SECTION 2. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2013.