

Amend CSHB 2292 as follows:

In SECTION 1.13 of the committee substitute, strike added Section 117.071, Human Resources Code (Senate committee printing, page 19, lines 25-30) and substitute the following:

Sec. 117.071. GENERAL POWERS AND DUTIES OF THE DEPARTMENT.  
The department is responsible for administering human services programs to provide early childhood intervention services and rehabilitation and related services to persons who are blind, deaf, or hard of hearing. The department is also responsible for providing and coordinating programs for the rehabilitation of persons with disabilities so that they may prepare for and engage in a gainful occupation or achieve maximum personal independence.

In the portion of SECTION 2.97 that adds Section 32.028(i)(3), Human Resources Code (Senate committee printing, page 78, line 32), strike "participation" and substitute "not participating".

In SECTION 2.30 (Senate committee printing, page 48, lines 58-59), strike subdivision (2) of Section 403.105(c), Government Code and substitute the following:

(2) the provision of preventive medical and dental services to children in the medical assistance program under Chapter 32, Human Resources Code.

Insert the following new SECTION, appropriately numbered, and renumber subsequent sections accordingly:

SECTION \_\_\_\_\_. Section 403.1066, Government Code, is amended to read as follows:

Sec. 403.1066. PERMANENT HOSPITAL FUND FOR CAPITAL IMPROVEMENTS AND THE TEXAS CENTER FOR INFECTIOUS DISEASE [~~COMMUNITY HOSPITAL CAPITAL IMPROVEMENT FUND~~].

(a) The permanent hospital [~~community hospital capital improvement~~] fund for capital improvements and the Texas Center for Infectious Disease is a dedicated account in the general revenue fund. The fund is composed of:

(1) money transferred to the fund at the direction of the legislature;

(2) payments of interest and principal on loans and fees collected under this section;

(3) gifts and grants contributed to the fund; and

(4) the available earnings of the fund determined in accordance with Section 403.1068.

(b) Except as provided by Subsections (c), (d), (e), and (i), the money in the fund may not be appropriated for any purpose.

(c) The available earnings of the fund may be appropriated to the Texas Department of Health for the purpose of providing services at the Texas Center for Infectious Disease and for grants, loans, or loan guarantees to public or nonprofit community hospitals with 125 beds or fewer located in an urban area of the state.

(d) The comptroller may solicit and accept gifts and grants to the fund. A gift or grant to the fund may be appropriated in the same manner as available earnings of the fund, subject to any limitation or requirement placed on the gift or grant by the donor or granting entity.

(e) Money in the fund may also be appropriated to pay any amount of money that the federal government determines that the state should repay to the federal government or that the federal government should recoup from the state in the event of national legislation regarding the subject matter of the case styled *The State of Texas v. The American Tobacco Co., et al.*, No. 5-96CV-91, in the United States District Court, Eastern District of Texas.

(f) The Texas Board of Health may adopt rules governing any grant, loan, or loan guarantee program established under this section.

(g) A hospital eligible to receive a grant, loan, or loan guarantee under Subchapter G, Chapter 106, Health and Safety Code, is not eligible to receive a grant, loan, or loan guarantee under this section.

(h) Sections 403.095 and 404.071 do not apply to the fund.

(i) The department may direct the comptroller to temporarily transfer money appropriated under Subsection (c) to pay an obligation that the department is authorized to incur under and for which money is appropriated under Section 403.105(c), 403.1055(c), or 403.106(c) if the department determines that the transfer is necessary for cash management purposes. As soon as

possible after the transfer but not later than the 90th day after the date of the transfer, the department shall direct the comptroller to transfer back the transferred amount from amounts appropriated under Section 403.105(c), 403.1055(c), or 403.106(c), as applicable, to the appropriation item for Subsection (c).

Strike Section 2.33(a) (Senate committee printing, page 49, lines 15-47) and substitute the following:

SECTION 2.33. (a) Effective September 1, 2003, Section 466.408(b), Government Code is amended to read as follows:

(b) If a claim is not made for prize money on or before the 180th day after the date on which the winner was selected, the prize money shall be used in the following order of priority:

(1) \$10 million in prize money each year shall be deposited to and may be appropriated from the Texas Department of Health state-owned multicategorical teaching hospital account, which is an account in the general revenue fund; and

(2) all prize money subject to this section in excess of \$10 million each year shall be deposited in the general revenue fund and may be appropriated for any purpose as determined the legislature, including purposes specified in Chapter 61, Health and Safety Code [~~shall be deposited to the credit of the Texas Department of Health state-owned multicategorical teaching hospital account or the tertiary care facility account as follows:~~

~~[(1) not more than \$40 million in prize money each biennium may be deposited to or appropriated from the Texas Department of Health state-owned multicategorical teaching hospital account, which is an account in the general revenue fund; and~~

~~[(2) all prize money subject to this section in excess of \$40 million each biennium shall be deposited in the tertiary care facility account. Money deposited in the tertiary care facility account may only be appropriated to the department for purposes specified in Chapter 46 or 61, Health and Safety Code].~~

Strike Sections 2.43 and 2.44 (Senate committee printing, page 52, line 59 through page 53, line 24) and substitute the following:

SECTION 2.43. Section 62.002(4), Health & Safety Code, is

amended to read as follows:

(4) "Gross [~~Net~~] family income" means the total amount of income established for a family without consideration of any reduction for offsets [~~after reduction for offsets for expenses such as child care and work-related expenses, in accordance with standards applicable under the Medicaid~~] that may be available to the family under any other program.

SECTION 2.44. Section 62.101(b), Health & Safety Code, is amended to read as follows:

(b) The commission shall establish income eligibility levels consistent with Title XXI, Social Security Act (42 U.S.C. Section 1397aa et seq.), as amended, and any other applicable law or regulations, and subject to the availability of appropriated money, so that a child who is younger than 19 years of age and whose gross [~~net~~] family income is at or below 200 percent of the federal poverty level is eligible for health benefits coverage under the program. In addition, the commission may establish eligibility standards regarding the amount and types of allowable assets for a family whose gross family income is above 150 percent of the federal poverty level.

Insert the following new SECTION, appropriately numbered, and renumber subsequent sections accordingly:

SECTION \_\_\_\_\_. (a) Section 31.032(d), Human Resources Code, is amended to read as follows:

(d) In determining whether an applicant is eligible for assistance, the department shall exclude from the applicant's available resources:

(1) \$1,000 [~~\$2,000~~] for the applicant's household, including a household in which there is [~~or \$3,000 if there is~~] a person with a disability or a person who is at least 60 years of age [~~in the applicant's household~~]; and

(2) the fair market value of the applicant's ownership interest in a motor vehicle, but not more than the amount determined according to the following schedule:

(A) \$4,550 on or after September 1, 1995, but before October 1, 1995;

(B) \$4,600 on or after October 1, 1995, but

before October 1, 1996;

(C) \$5,000 on or after October 1, 1996, but before October 1, 1997; and

(D) \$5,000 plus or minus an amount to be determined annually beginning on October 1, 1997, to reflect changes in the new car component of the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics.

(b) Section 31.032(d), Human Resources Code, as amended by this section, applies to a person receiving financial assistance on or after the effective date of this Act, regardless of the date on which eligibility for financial assistance was determined.

Insert the following new SECTION, appropriately numbered, and renumber subsequent sections accordingly:

SECTION \_\_\_\_\_. (a) Section 32.024(w), Human Resources Code, is amended to read as follows:

(w) The department shall set a personal needs allowance of not less than \$45 [~~\$60~~] a month for a resident of a convalescent or nursing home or related institution licensed under Chapter 242, Health and Safety Code, personal care facility, ICF-MR facility, or other similar long-term care facility who receives medical assistance. The department may send the personal needs allowance directly to a resident who receives Supplemental Security Income (SSI) (42 U.S.C. Section 1381 et seq.). This subsection does not apply to a resident who is participating in a medical assistance waiver program administered by the department.

(b) Section 32.024(w), Human Resources Code, as amended by this section, applies only to a personal needs allowance paid on or after the effective date of this Act.

(Part 7a) Amend Section 2.93 (Senate committee printing, page 77, line 27) by inserting "only" between "representative" and "if".

(Part 7b) Amend Section 2.94 by striking the portion of the bill amending Subsection (e) of Section 32.026, Human Resources Code (Senate committee printing, page 77, lines 33-45) and substituting the following:

(e) The department shall permit a recertification review of the eligibility and need for medical assistance of a child under 19

years of age to be conducted by telephone or mail instead of through a personal appearance at a department office, unless the department determines that the information needed to verify eligibility cannot be obtained in that manner. The department by rule may develop procedures to determine whether there is a need for a recertification review of a child described by this subsection to be conducted through a personal interview with a department representative. Procedures developed under this subsection shall be based on objective, risk-based factors and conditions and shall focus on a targeted group of recertification reviews for which there is a high probability that eligibility will not be recertified.