

## **BILL ANALYSIS**

S.B. 1862  
By: Bivins  
Appropriations  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Due to the current budget shortfall, state agencies and institutions of higher education were asked to prioritize spending based on core functions and essential services. The committee looked to these priorities in preparation of the budget; however, certain statutory changes are also needed to conform with appropriations levels in the 2004-05 General Appropriations Act. Senate Bill 1862 authorizes these statutory changes for the health and human services agencies listed under Article II of the 2004-05 General Appropriations Act.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Senate Bill 1862 imposes a quality assurance fee on each facility owned by the Texas Department of Mental Health and Mental Retardation.

Senate Bill 1862 alters the manner in which patient days are calculated by deleting language that allows the number of beds on hold for a hospitalized patient to be included in the calculation and requires the report on patient days be made no later than the 20th, rather than the 10th, day of the month.

Senate Bill 1862 allows the Health and Human Services Commission, subject to legislative appropriation and state and federal law, to use proceeds from the quality assurance fee to offset expenses incurred in administration of this fee, to increase certain reimbursement rates, or for any other health and human services purpose approved by the governor and Legislative Budget Board. This bill also repeals Section 252.207(b) of the Health and Safety Code.

Senate Bill 1862 authorizes each health and human services agency to reduce expenditures by (1) consolidating required reports and publications and filing or delivering them exclusively by electronic means; (2) extending the effective period of any license, permit, or registration granted or administered by the agency; (3) contracting with a governmental entity or private vendor to carry out agency duties; (4) providing that any communications or document delivery between the agency and another entity be made by electronic mail or through the Internet; and (5) adopting and collecting fees or charges to cover agency costs in performing its lawful functions.

Senate Bill 1862 directs a state agency to request any waiver or authorization needed to enact any provisions of this act and allows a state agency to delay implementation of those provisions until the waiver or authorization is granted.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.