

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 21, 2003

TO: Honorable Carlos Uresti, Chair, House Committee on Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2142 by Naishtat (Relating to medical assistance in certain alternative community-based care settings.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the Department of Human Services (DHS) to continue to provide services under a medical assistance waiver program to a person eligible for and receiving those services on September 1, 2003. DHS would continue to provide services, if the continuation of those services 1) are necessary for the person to live in the most integrated setting appropriate to the needs of the person; and 2) do not affect the department's compliance with the federal cost-effectiveness and efficiency requirements of the medical assistance waiver program under 42 U.S.C. Sections 1396n(b) and 1396n(c)(2)(D), as amended.

DHS may continue to provide services under the waiver, even though the client does not meet the criteria above, if the cost of providing those Medicaid waiver services does not exceed 133.3 percent of the individual cost limit specified in the waiver and continuation of those services does not affect the department's compliance with federal cost-effectiveness requirements.

The bill provisions would allow the Texas Board of Human Services or the Commissioner of Human Services to exempt a person from the cost limitation if either finds an undue hardship to the person in providing comparable services at the appropriate institution.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 324 Department Of Human Services, 529 Health And Human Services Commission

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