

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 19, 2003**

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

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1743** by Zaffirini (Relating to medical assistance in certain alternative community-based care settings.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would require the Department of Human Services (DHS) to continue to provide Medicaid waiver services to eligible clients served by the waiver if continuation of those services is necessary for the persons to live in the most integrated setting appropriate to the needs of the person, and does not effect DHS' compliance with federal cost-effectiveness requirements.

The bill would allow DHS to continue to provide services under the waiver, even though the client does not meet the criteria listed 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 effect DHS' compliance with federal cost-effectiveness requirements.

The bill also would allow the DHS Board or the DHS Commissioner to exempt a person from the cost limit of 133.3 percent, if the Board or Commissioner 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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