

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3235
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Health & Human Services
5/19/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under federal disability law, places of public accommodation, including the offices of health care providers, are required to provide reasonable accommodations for persons with disabilities, including sign language interpreters where needed to ensure effective communication; however, there are exceptions in cases where the provision of such services would constitute an undue burden on the provider. Few health care providers provide sign language interpreters for the deaf or hard of hearing; as a consequence, many deaf or hard of hearing patients are unable to actively and with full knowledge participate in making decisions related to their health care and the quality of their care may be compromised.

C.S.H. B. 3235 requires the Health and Human Services Commission to provide interpreter services to medical assistance program recipients who are deaf or hard of hearing or to the parent or guardian of a medical assistance program recipient if the parent or guardian is deaf or hard of hearing.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Department of Human Services, the following amendments affect the Health and Human Services Commission, as the successor agency to the Department of Human Services.]

SECTION 1. Amends Section 32.024, Human Resources Code, by adding Subsection (bb), to provide that "deaf" and "hard of hearing" have the meanings assigned by Section 81.001 (Definitions). Requires the Texas Department of Human Services, subject to availability of funds, to provide interpreter services as requested during the receipt of medical assistance to certain persons who are deaf or hard of hearing.

SECTION 2. Authorizes delay of implementation until necessary federal waivers or authorizations are obtained.

SECTION 3. Effective date: September 1, 2005.