

By: Gallegos

S.B. No. 1758

A BILL TO BE ENTITLED

AN ACT

relating to a pilot program for the implementation of the redesigned health and human services program eligibility and benefits determination system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter M to read as follows:

SUBCHAPTER M. PILOT PROGRAM FOR IMPLEMENTATION OF REDESIGNED
INTEGRATED ELIGIBILITY AND BENEFITS DETERMINATION SYSTEM

Sec. 531.451. ESTABLISHMENT OF PILOT PROGRAM. (a) The commission shall develop and operate a pilot program to evaluate each feature of the redesigned integrated eligibility and benefits determination system for health and human services programs, including any supporting technology, to ensure that the redesigned system is fully tested and capable of supporting eligibility and benefits determination caseloads statewide.

(b) The commission shall implement each feature of or technology related to the redesigned system in each pilot program site in a manner that provides a realistic test of the capability of the feature or technology to operate statewide. The commission shall ensure that the pilot program is designed to evaluate the following features of and technology related to the redesigned system:

(1) call centers established under Section 531.063,

1 Government Code, as added by Chapter 198, Acts of the 78th
2 Legislature, Regular Session, 2003;

3 (2) the 211 network;

4 (3) related Internet applications;

5 (4) partnerships with community-based organizations
6 that would, on statewide implementation of the redesigned system,
7 replace local offices at which benefits eligibility determinations
8 for applicants for health and human services programs are made; and

9 (5) each other feature or component of the redesigned
10 system developed by the commission or persons or entities with
11 which the commission contracts.

12 (c) The commission shall operate the pilot program for an
13 initial period of one year.

14 Sec. 531.452. PILOT PROGRAM SITES. The commission shall
15 implement the pilot program under this subchapter in at least one
16 urban county or metropolitan service area, at least one rural
17 county, and at least one county that borders the United Mexican
18 States.

19 Sec. 531.453. PILOT PROGRAM TEST CASELOADS. The pilot
20 program under this subchapter must test the performance of the
21 redesigned integrated eligibility and benefits determination
22 system with respect to:

23 (1) all eligibility and benefits determinations that
24 occur in the pilot program sites that are located in the rural
25 county and the county that borders the United Mexican States; and

26 (2) at least one-half of the eligibility and benefits
27 determinations that occur in the pilot program sites that are

1 located in the urban county or metropolitan service area.

2 Sec. 531.454. PILOT PROGRAM PLAN OF OPERATION. (a) The
3 commission shall develop a detailed plan of operation for the pilot
4 program that:

5 (1) describes how the system will:

6 (A) comply with federal performance standards
7 related to benefits determination accuracy, application
8 processing, outreach efforts, provision of information, and an
9 applicant's right to apply for programs without delay;

10 (B) serve persons with limited English
11 proficiency and persons with disabilities, including mobility,
12 hearing, vision, and cognitive impairments;

13 (C) screen applicants for incidence of domestic
14 violence; and

15 (D) deliver expedited food stamp benefits;

16 (2) specifies performance measures for a call center
17 that are provided by rules of the executive commissioner or the
18 contract for the establishment of a call center;

19 (3) includes provisions for conducting outreach and
20 providing information to health and human services program clients
21 located in the pilot program sites regarding the options available
22 to them under the redesigned integrated eligibility and benefits
23 determination system; and

24 (4) describes the role of community-based
25 organizations in the redesigned system and the standards by which
26 the pilot program will evaluate those organizations.

27 (b) The commission shall make the plan of operation

1 available to the public and shall accept public comments on the plan
2 for at least a 30-day period before implementing the pilot program
3 in a pilot program site.

4 Sec. 531.455. ASSESSMENT OF PILOT PROGRAM RESULTS. The
5 success of the pilot program will be determined by the ability of
6 the redesigned integrated eligibility and benefits determination
7 system to meet the performance standards and perform the functions
8 described by Section 531.454. To determine the effectiveness of
9 each component of the redesigned system in meeting these standards
10 and performing these functions, the commission shall select as a
11 basis for comparison areas of the state that are not pilot program
12 sites, but that have geographic and demographic characteristics
13 that are similar to the characteristics of the pilot program sites.

14 Sec. 531.456. PERIODIC REPORTS REQUIRED. (a) The
15 executive commissioner shall report at least quarterly on the
16 operation of the pilot program. A report must include:

17 (1) information on:

18 (A) the number of calls received and applications
19 processed, including applications in expedited cases;

20 (B) the disposition of cases, including the
21 number of applications denied, the number of applications approved,
22 and the number of cases in which services were terminated,
23 sanctions were imposed, or benefits were changed; and

24 (C) the extent to which the federal and other
25 performance standards described by Section 531.454 were met; and

26 (2) a description of any challenges or problems
27 detected in the pilot program sites with assisting clients with

1 limited English proficiency or clients with disabilities,
2 including mobility, hearing, vision, and cognitive impairments,
3 screening for incidence of domestic violence, or delivering
4 expedited food stamp benefits.

5 (b) Each report made under this section must be available to
6 the public.

7 Sec. 531.457. FINAL REPORT ON PILOT PROGRAM RESULTS;
8 RECOMMENDATIONS. (a) At the end of the initial one-year operation
9 of the pilot program under this subchapter, the executive
10 commissioner shall provide a full report to the Health and Human
11 Services Council, the governor, the lieutenant governor, the
12 speaker of the house of representatives, the Legislative Budget
13 Board, and the standing committees of the senate and house of
14 representatives that have primary jurisdiction over health and
15 human services, state appropriations, or state purchasing. The
16 report must:

17 (1) document the performance of the redesigned
18 integrated eligibility and benefits determination system in the
19 pilot program sites; and

20 (2) using historic and contemporary performance
21 measures applicable to non-pilot program sites, compare the
22 performance of the redesigned system to the performance of the
23 eligibility and benefits determination system used in non-pilot
24 program sites.

25 (b) Based on the performance of the pilot program, the
26 executive commissioner of the commission shall recommend:

27 (1) statewide implementation of and conversion to the

1 redesigned system; or

2 (2) modifications to the redesigned system and testing
3 of those modifications through a continuation of the pilot program
4 for an additional six months.

5 (c) If the executive commissioner recommends an extension
6 of the pilot program under Subsection (b)(2), the executive
7 commissioner shall submit another report at the end of the
8 six-month extension period that contains the information required
9 in the report under Subsection (a) and includes a recommendation
10 for a statewide implementation of the redesigned system or another
11 six-month extension for the purposes described by Subsection (b).

12 Sec. 531.458. STATEWIDE IMPLEMENTATION. (a) If the
13 executive commissioner recommends statewide implementation of the
14 redesigned integrated eligibility and benefits determination
15 system under Section 531.457, the executive commissioner shall
16 develop an implementation schedule according to which the
17 redesigned system will be phased in across this state by region or
18 by function. If the redesigned system is phased in by function, the
19 system must be initially implemented only with respect to renewal
20 applications, and subsequently implemented with respect to new
21 applications.

22 (b) The commission may not implement any component of the
23 redesigned system statewide except as provided by this subchapter.

24 Sec. 531.459. IMPACT ON LOCAL ELIGIBILITY DETERMINATION
25 OFFICE EMPLOYEES. (a) During the operation of the pilot program
26 and to the extent possible, the commission and the health and human
27 services agencies shall offer to each commission or health and

1 human services agency employee whose primary duties were to perform
2 health and human services program eligibility determinations at a
3 local eligibility determination office located in a pilot program
4 site a temporary position, with no reduction in salary or benefits,
5 in:

6 (1) the nearest local office that continues to conduct
7 those determinations; or

8 (2) another commission or health and human services
9 agency office.

10 (b) The commission or a health and human services agency, as
11 applicable, may not reduce the staff of or close any local office
12 that performs health and human services programs eligibility
13 determinations and that is located in a non-pilot program area
14 until the executive commissioner recommends statewide
15 implementation of the redesigned integrated eligibility and
16 benefits determination system as provided by this subchapter. If
17 the executive commissioner recommends statewide implementation,
18 the commission and health and human services agencies, as
19 applicable, may reduce the number of full-time equivalent positions
20 and local offices related to eligibility determinations only in a
21 manner that comports with the implementation schedule for the
22 redesigned system.

23 Sec. 531.460. EXPIRATION. This subchapter expires
24 September 1, 2008.

25 SECTION 2. If before implementing any provision of this Act
26 a state agency determines that a waiver or authorization from a
27 federal agency is necessary for implementation of that provision,

1 the agency affected by the provision shall request the waiver or
2 authorization and may delay implementing that provision until the
3 waiver or authorization is granted.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2005.