

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 25, 2005**

**TO:** Honorable Suzanna Gratia Hupp, Chair, House Committee on Human Services

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB1376** by Jones, Jesse (Relating to criminal history record checks for potential residents of nursing homes.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend Chapter 242 of the Health & Safety Code, by adding new section 242.053 that would allow nursing facilities the option of requiring applicants for admission to submit to a criminal history record check before admission. The nursing facility could not charge the applicant for the cost of the criminal history record check.

The Department of Aging and Disability Services indicated that an estimate of the cost would be predicated on the number of nursing facilities availing themselves of the option in 242.053. However, DADS stated that those facilities that choose to perform checks would incur costs that could be reported on the provider cost reports. The Health and Human Services Commission has responsibility for setting rates and for clarifying whether this cost would be considered an “allowable cost” on future cost reports. If it is deemed an allowable cost, the allowable cost might place some nominal pressure on increased rates in future years, but DADS indicated that it was not expected that the increase would be a significant factor in the rate amount.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 539 Department of Aging and Disability Services

**LBB Staff:** JOB, CL, KF, ML