

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

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

**May 12, 2005**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

**IN RE: HB2579** by Rodriguez (Relating to procedures to ensure the involvement of parents or guardians of children placed in certain institutions. ), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would require the executive commissioner of the Health and Human Services Commission (HHSC) to establish a system by which the Department of Aging and Disability Services (DADS) would ensure that the parent or guardian of a child is fully informed of all community-based services and any other service for which the child is eligible prior to placing the child in an institution. The bill would require DADS to develop comprehensive information for a parent or guardian considering an institutional placement for a child.

The bill would require Intermediate Care Facilities for Individuals with Mental Retardation (ICF/MR), certain group homes, and nursing facilities to make reasonable accommodations to promote the participation of a child's parent or guardian in planning and decision-making. The bill would require DADS to conduct a search for a parent or guardian who cannot be located by a nursing facility or ICF/MR and to refer cases to Adult Protective Services or Child Protective Services if unsuccessful in locating the parent or guardian within the specified timeframe.

HHSC, DADS, and the Department of Family Protective Services indicate that any potential costs related to the bill would not be significant and could be absorbed within existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission, 530 Department of Family and Protective Services, 539 Department of Aging and Disability Services

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