

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

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

**April 18, 2005**

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

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

**IN RE: HB3440** by Herrero (Relating to the Medicaid Estate Recovery Program (MERP) Claim.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend Title 1, Part 15, Chapter 373, Subchapter B, § 373.205(b), Texas Administrative Code, to allow filing of a Medicaid Estate Recovery Program recovery claim no sooner than 100 days after notification of the death of a Medicaid recipient. The Department of Aging and Disability Services indicated that current language in the administrative rule found at Title 1, Part 15, Chapter 373, Subchapter B, § 373.205(b), Texas Administrative Code specifies that claims must be filed within 70 days.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

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