

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 21, 2005

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

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

IN RE: SB40 by Zaffirini (Relating to the permanency planning procedures for children residing in state institutions.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the Department of Aging and Disability Services (DADS) to have a local mental retardation authority, a private entity that does not provide long-term institutional care, or department staff develop permanency plans for children residing in state institutions. The bill would apply to permanency planning beginning on or after September 1, 2005.

Current law authorizes, rather than requires, DADS and the Department of Family Protective Services (legacy Department of Mental Health and Mental Retardation, Department of Human Services and Department of Protective and Regulatory Services in statute) to have a local mental retardation authority or a private entity that does not provide mental retardation services developmental permanency plans or allows as an alternative for the departments to engage in activities to minimize potential conflicts of interest between a child's mental retardation service provider and the child's best interest, in developing a permanency plan.

Local Government Impact

No significant 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, PP, SSt