

BILL ANALYSIS

H.B. 2064
By: Menendez
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current Texas Health and Human Services policies regarding Funded Primary Home Care Benefits or other related in-home services for elderly and/or disabled citizens places a cap on gross monthly income for qualification for benefits. Typically citizens receiving assistance under these programs are living on lower, fixed incomes which may periodically experience modest cost of living increases. These increases to gross monthly income may cause the recipient of services to become ineligible because the cap has been exceeded even though the amount of increase would not allow for not-supplemented care continuation. The resulting loss of in-home services severely reduces or eliminates continued independent living opportunities resulting in earlier than necessary entry into more expensive full care provider circumstances at increased cost to the state.

Federal guidelines for eligibility determination for related programs allow for the exemption of the first twenty dollars of gross income which is also the monthly premium deducted from Social Security benefits for Medicaid. Texas HHSC does not follow federal guidelines determining income eligibility.

This legislation would require the Health and Human Services to exempt the first twenty dollars of gross income for citizens who are for any community attendant services program. in income determinate services for reasons of age and/or disability.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 2064 amends Section 32.061, Human Resources Code to allow any home and community-based services that the department provides, to functionally disabled individuals who have income that exceeds the limit established by federal law for Supplemental Security Income, will be provided said services through the community attendant services program. The department is required to exclude twenty dollars of unearned or earned income from the applicant's monthly income in determining eligibility for home and community-based services..

The bill requires a state agency, upon determining a waiver or authorization from a federal agency is necessary for implementation of the preceding provision, shall request the waiver or authorization and is authorized to delay implementing that provision until the waiver or authorization is granted.

EFFECTIVE DATE

September 1, 2007.