

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 27, 2007

TO: Honorable Patrick M. Rose, Chair, House Committee on Human Services

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

IN RE: HB283 by Brown, Betty (Relating to investigations and decisions regarding allegations of abuse, neglect, or exploitation of persons with disabilities by employees at certain facilities.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 48, Human Resources Code, to require the Executive Commissioner of Health and Human Services to adopt rules protecting the rights of state school and state hospital employees accused of abusing, neglecting, or exploiting an individual with a disability receiving services in the facility. The rules must include the right to request a hearing on the findings of the investigation. The bill would also require the Department of State Health Services and the Department of Aging and Disability Services to compensate employees for lost wages when it is determined that an allegation is unfounded, unconfirmed, or inconclusive. The bill would be effective on September 1, 2007, and the Executive Commissioner would be required to adopt the rules not later than December 1, 2007.

The Department of Family and Protective Services would conduct the hearings. It is assumed the agency would need approximately \$0.2 million in General Revenue Funds and 3.5 FTEs to conduct 143 hearings per year. These costs are expected to be absorbed within the agency's existing budget. The Department of State Health Services also estimates there would be a minimal cost associated with implementing the provisions of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 360 State Office of Administrative Hearings, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of, 537 State Health Services, Department of, 539 Aging and Disability Services, Department of

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