

## **BILL ANALYSIS**

C.S.H.B. 3859  
By: Herrero  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

As addressed in the 80th Legislature, Regular Session, 2007, the Texas Integrated Eligibility Redesign System (TIERS) has failed to deliver promised savings to the state and has neglected to provide reliable services to eligible individuals. Legislation is needed to ensure that the state's delivery of health and human services is dependable, efficient, and accurate.

C.S.H.B. 3859 requires the Health and Human Services Commission to conduct a thorough staffing analysis for TIERS, including state and contractor staff, to establish the staffing levels necessary to meet federal and commission standards.

### **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**

C.S.H.B. 3859 amends Subchapter M, Chapter 531, Government Code, as added by Chapter 1110 (H.B. 3575), Acts of the 80th Legislature, Regular Session, 2007, to require the Health and Human Services Commission to conduct a thorough analysis of staffing needs, including the need for additional state employees and contractor staff, with respect to the enhanced eligibility system and the expansion of the use of the Texas Integrated Eligibility Redesign System (TIERS). The bill requires the commission to identify in the analysis the number of full-time equivalent positions the commission needs to implement the system in a manner that, if met, will ensure that the system remains fully functional and that no lapses in the provision of health and human services program benefits will occur under the system and the number of full-time equivalent positions any contractor would need to perform contracted functions to implement the system in that manner.

C.S.H.B. 3859 requires the commission, in determining the total number of commission and contractor full-time equivalent positions needed, to consider the number of such positions necessary to comply with state and federal requirements related to health and human services program access, including requirements related to timeliness and accuracy of application processing, delivery of expedited services and benefits, and seamless transfers of eligible children between Medicaid and the children's health insurance program and the commission's performance standards and benchmarks for health and human services programs, including maximum caseload specifications.

C.S.H.B. 3859 requires a state agency that is affected by a provision to request a federal waiver or authorization if the agency determines that a waiver or authorization is necessary for the implementation of the provision, and it authorizes the agency to delay implementation until the federal waiver or authorization is obtained.

**EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 3859 omits a provision included in the original requiring the Health and Human Services Commission to ensure that the use of the Texas Integrated Eligibility Redesign System (TIERS) will not be expanded to additional counties, and no additional health and human services program benefits cases will be converted to that system, until the system is fully functional, meets state and federal requirements related to timeliness and accuracy of benefits application processing, and has the hardware capacity to effectively and efficiently process existing cases in each region proposed to be converted to that system.