

By: Naishtat, Herrero

H.B. No. 614

A BILL TO BE ENTITLED

AN ACT

relating to administrative and judicial review of certain decisions about financial assistance benefits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 531.019(a) and (e), Government Code, as added by Chapter 1161 (H.B. 75), Acts of the 80th Legislature, Regular Session, 2007, are amended to read as follows:

(a) In this section, "public assistance benefits" means benefits provided under a public assistance program under Chapter 31, 32, or 33, Human Resources Code.

(e) For purposes of Section 2001.171, an applicant for or recipient of public assistance benefits has exhausted all available administrative remedies and a decision, including a decision under Section 31.034 or 32.035, Human Resources Code, is final and appealable on the date that, after a hearing:

(1) the hearing officer for the commission or a health and human services agency reaches a final decision related to the benefits; and

(2) the appropriate attorney completes an administrative review of the decision and notifies the applicant or recipient in writing of the results of that review.

SECTION 2. The changes in law made by this Act apply only to an appeal of a final decision by the Health and Human Services Commission related to financial assistance benefits under Chapter

1 31, Human Resources Code, that is rendered on or after the effective
2 date of this Act. A final decision rendered by the commission
3 before the effective date of this Act is governed by the law in
4 effect on the date the decision was rendered, and the former law is
5 continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2009.