

1-1 By: Herrero, et al. (Senate Sponsor - Deuell) H.B. No. 3859
1-2 (In the Senate - Received from the House May 14, 2009;
1-3 May 15, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 22, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9,
1-6 Nays 0; May 22, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3859 By: Deuell

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a staffing analysis of the Texas Integrated Eligibility
1-11 Redesign System (TIERS) and benefits eligibility determination
1-12 processes.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter M, Chapter 531, Government Code, as
1-15 added by Chapter 1110 (H.B. 3575), Acts of the 80th Legislature,
1-16 Regular Session, 2007, is amended by adding Section 531.4551 to
1-17 read as follows:

1-18 Sec. 531.4551. STAFFING ANALYSIS FOR ENHANCED ELIGIBILITY
1-19 SYSTEM. (a) The commission shall conduct a thorough analysis of
1-20 staffing needs, including the need for additional state employees
1-21 and contractor staff, with respect to the enhanced eligibility
1-22 system and the expansion of the use of the Texas Integrated
1-23 Eligibility Redesign System (TIERS). The commission shall identify
1-24 in the analysis:

1-25 (1) the number of full-time equivalent positions the
1-26 commission needs to implement the system in a manner that, if met,
1-27 will ensure that the system remains fully functional and that no
1-28 lapses in the provision of health and human services program
1-29 benefits will occur under the system; and

1-30 (2) the number of full-time equivalent positions any
1-31 contractor would need to perform contracted functions to implement
1-32 the system in that manner.

1-33 (b) In determining the total number of commission and
1-34 contractor full-time equivalent positions needed as required by
1-35 Subsection (a), the commission shall consider the number of
1-36 full-time equivalent positions necessary to comply with:

1-37 (1) state and federal requirements related to health
1-38 and human services program access, including requirements related
1-39 to timeliness and accuracy of application processing, delivery of
1-40 expedited services and benefits, and seamless transfers of eligible
1-41 children between the Medicaid and child health plan programs; and

1-42 (2) the commission's performance standards and
1-43 benchmarks for health and human services programs, including
1-44 maximum caseload specifications.

1-45 SECTION 2. If before implementing any provision of this Act
1-46 a state agency determines that a waiver or authorization from a
1-47 federal agency is necessary for implementation of that provision,
1-48 the agency affected by the provision shall request the waiver or
1-49 authorization and may delay implementing that provision until the
1-50 waiver or authorization is granted.

1-51 SECTION 3. This Act takes effect immediately if it receives
1-52 a vote of two-thirds of all the members elected to each house, as
1-53 provided by Section 39, Article III, Texas Constitution. If this
1-54 Act does not receive the vote necessary for immediate effect, this
1-55 Act takes effect September 1, 2009.

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