

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 18, 2009**

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

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

**IN RE: HB1938** by Villarreal (Relating to the exclusion of certain college savings plan assets and benefits from eligibility determination for certain public assistance programs.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill requires the Health and Human Services Commission (for purposes of determining whether a child or family meets family income and resource requirements for the Children's Health Insurance Program, Temporary Assistance for Needy Families, or Medicaid) to exclude the value of certain college savings plan assets and benefits. The value of such assets would also be excluded for purposes of determining the amount of financial assistance granted under Temporary Assistance for Needy Families.

The value of such assets could be considered for purposes of determining eligibility for Medicaid on the basis of an applicant's eligibility for medical assistance for the aged, blind, or disabled under 42 U.S.C. Section 1396a(10). It is assumed that the number of persons applying for assistance under any of these programs who hold such assets would be so small that the fiscal impact to the state would not be significant.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** JOB, CL, PP, LR