

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 10, 2009

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

IN RE: SB584 by Van de Putte (Relating to notification to a patient of a mental health facility or resident of a residential care facility of the exemption of certain trusts from liability to pay for support.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapters 576 and 592 of the Health and Safety Code to establish notification of trust exemption as a right for a person with mental illness who is admitted to an inpatient mental health facility and a person with a developmental disability who is admitted to a residential care facility. The bill would require the facility to provide the patient or resident and if applicable, parent or guardian, with written and oral notice in the person's primary language that a trust that qualifies under Sections 552.018 or 593.081 of the Health and Safety Code with a corpus up to \$250,000 is not liable for the patient's support but that additional principal and income from the portion of a trust exceeding \$250,000 is liable for support.

The Department of State Health Services and the Department of Aging and Disability Services indicate they will be able to absorb costs associated with the bill within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of, 539 Aging and Disability Services,
Department of

LBB Staff: JOB, CL, JI, LL