

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 22, 2009

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

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

IN RE: SB639 by Lucio (Relating to the rights of persons with intellectual or developmental disabilities residing in state residential care facilities.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 592, Health and Safety Code, to establish a list of rights of persons with intellectual or developmental disabilities residing in state residential care facilities, including state schools and centers operated by the Department of Aging and Disability Services (DADS) and the Intermediate Care Facility for persons with Mental Retardation (ICF-MR) component of the Rio Grande State Center operated by the Department of State Health Services (DSHS). It would require DADS and DSHS to provide each resident with a written copy of the rights in English and Spanish and, if applicable, a copy to a resident's legal guardian or parent. The bill would require a state residential care facility to display a copy of the rights in English and Spanish. The Executive Commissioner of the Health and Human Services Commission would be required to adopt rules relating to the form of the rights by January 1, 2010. The bill would require a state school to provide and display the rights by February 1, 2010.

The bill would prohibit a person who is younger than 22 years of age and is admitted to a state residential care facility on a temporary basis from residing in the facility for more than 60 days. DADS would be required to place the person in a family setting with necessary supports and services as soon as practicable after the temporary placement.

This analysis assumes DADS and DSHS can absorb any additional 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