

BILL ANALYSIS

H.B. 655
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Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Indigent Health Care and Treatment Act was enacted to provide health care to those without the means to pay for medical services. Legislation has established eligibility requirements to help ensure that the resources committed to indigent care programs are available for the neediest individuals. Currently, those eligibility requirements do not adequately address the unique situation of sponsored aliens. H.B. 655 allows a county to consider the income and resources of a person executing an affidavit of support on behalf of an applicant who is a sponsored alien when determining eligibility for indigent care.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

ANALYSIS

Section 531.0055, Government Code, as amended by Chapter 198 (H.B. 2292), Acts of the 78th Legislature, Regular Session, 2003, expressly grants to the executive commissioner of the Health and Human Services Commission all rulemaking authority for the operation of and provision of services by the health and human services agencies. Similarly, Sections 1.16-1.29, Chapter 198 (H.B. 2292), Acts of the 78th Legislature, Regular Session, 2003, provide for the transfer of a power, duty, function, program, or activity from a health and human services agency abolished by that act to the corresponding legacy agency. To the extent practical, this bill analysis is written to reflect any transfer of rulemaking authority and to update references as necessary to an agency's authority with respect to a particular health and human services program.

H.B. 655 amends the Health and Safety Code to require the Department of State Health Services (DSHS) by rule to provide that, in determining eligibility under the Indigent Health Care and Treatment Act and if an applicant is a sponsored alien, a county is authorized to include in the income and resources of the applicant the income and resources of a person who executed an affidavit of support on behalf of the applicant and the income and resources of the spouse of a person who executed an affidavit of support on behalf of the applicant, if applicable.

H.B. 655 exempts DSHS eligibility rules under the Indigent Health Care and Treatment Act from provisions prohibiting DSHS from adopting a standard or procedure that is more restrictive than the Temporary Assistance for Needy Families program or procedures.

H.B. 655 defines "sponsored alien."

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.