

1-1 By: King of Taylor, Naishtat H.B. No. 2819  
1-2 (Senate Sponsor - Nelson)  
1-3 (In the Senate - Received from the House May 16, 2011;  
1-4 May 16, 2011, read first time and referred to Committee on Health  
1-5 and Human Services; May 20, 2011, reported favorably by the  
1-6 following vote: Yeas 7, Nays 0; May 20, 2011, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the operation and efficiency of the eligibility  
1-10 determination process for supplemental nutrition assistance  
1-11 program benefits.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 33, Human Resources Code, is amended by  
1-14 designating Sections 33.0005 through 33.028 as Subchapter A and  
1-15 adding a subchapter heading to read as follows:

1-16 SUBCHAPTER A. NUTRITIONAL ASSISTANCE PROGRAMS IN GENERAL

1-17 SECTION 2. Chapter 33, Human Resources Code, is amended by  
1-18 adding Subchapter B to read as follows:

1-19 SUBCHAPTER B. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM:

1-20 ELIGIBILITY DETERMINATION PROCESS EFFICIENCY

1-21 Sec. 33.051. DEFINITIONS. In this subchapter:

1-22 (1) "Commission" means the Health and Human Services  
1-23 Commission.

1-24 (2) "Supplemental nutrition assistance program" means  
1-25 the nutritional assistance program formerly referred to as the food  
1-26 stamp program.

1-27 Sec. 33.052. APPLICATION ASSISTANCE. (a) The commission  
1-28 shall develop procedures to ensure that:

1-29 (1) clear guidance on program eligibility  
1-30 requirements is provided to supplemental nutrition assistance  
1-31 applicants and prospective applicants and mechanisms are  
1-32 established, including Internet and e-mail mechanisms, as  
1-33 appropriate, by which applicants can obtain answers to basic  
1-34 program-related questions; and

1-35 (2) information is provided to each applicant in  
1-36 person, by e-mail, by telephone, or through the mail, as  
1-37 appropriate, about information the applicant is required to submit  
1-38 for purposes of the eligibility determination process.

1-39 (b) The commission shall consider the feasibility and  
1-40 cost-effectiveness of using office personnel or an automated system  
1-41 or systems to support the eligibility determination process by  
1-42 contacting an applicant in advance of an applicant's scheduled  
1-43 interview to remind the applicant of the interview and the  
1-44 documentation that must be presented at the interview.

1-45 Sec. 33.053. USE OF TECHNOLOGY TO PROMOTE EFFICIENCY AND  
1-46 FRAUD DETECTION. (a) The commission shall consider the  
1-47 feasibility and cost-effectiveness of using readily available  
1-48 document scanning technology to reduce storage and maintenance  
1-49 costs and potential loss of data by creating electronic case files  
1-50 for supplemental nutrition assistance cases instead of maintaining  
1-51 physical files for those cases. The commission shall use that  
1-52 technology if determined feasible and cost-effective.

1-53 (b) The commission shall implement, if feasible and  
1-54 cost-effective, a risk scoring program for supplemental nutrition  
1-55 assistance applications to streamline the eligibility  
1-56 determination process, reduce errors, and strengthen fraud  
1-57 detection. A risk scoring program implemented by the commission  
1-58 must be capable of ranking applications based on complexity so  
1-59 that:

1-60 (1) more experienced eligibility determination staff  
1-61 members can be used to process more difficult cases and cases with  
1-62 fraud characteristics; and

1-63 (2) applications ranked as low-risk on fraud  
1-64 characteristics can be processed more expeditiously.

2-1 Sec. 33.054. WORKFORCE MANAGEMENT. The commission shall  
2-2 improve its management of supplemental nutrition assistance  
2-3 eligibility determination staff by:  
2-4 (1) establishing clear performance expectations that  
2-5 can serve as the basis for performance assessments;  
2-6 (2) planning for anticipated staffing needs;  
2-7 (3) revising policies regarding overtime and accrual  
2-8 of compensatory time to ensure that eligibility determination staff  
2-9 members have access to supervisors as necessary;  
2-10 (4) assessing the effectiveness of training provided  
2-11 to new eligibility determination staff members; and  
2-12 (5) evaluating the compensation of eligibility  
2-13 determination staff members to determine if the compensation is  
2-14 sufficient to recruit qualified staff members and retain  
2-15 experienced staff members.

2-16 Sec. 33.055. PROGRAM MANAGEMENT INFORMATION. (a) The  
2-17 commission, in conjunction with state, regional, and local  
2-18 eligibility determination offices, shall identify eligibility  
2-19 determination program performance indicators with respect to which  
2-20 data should periodically be collected. The commission shall  
2-21 implement a process for collecting data on the identified  
2-22 performance indicators.

2-23 (b) The commission shall provide periodic management  
2-24 reports generated by the automated eligibility system to  
2-25 eligibility determination offices. The reports must include  
2-26 information regarding the number of pending supplemental nutrition  
2-27 assistance applications and the number of those applications that  
2-28 have not been processed within applicable timeliness standards.

2-29 (c) The commission shall use data collected under  
2-30 Subsection (a) and the reports described by Subsection (b) to  
2-31 develop and assess strategies for:

2-32 (1) streamlining the supplemental nutrition  
2-33 assistance eligibility determination process;

2-34 (2) improving timeliness of eligibility  
2-35 determinations; and

2-36 (3) accommodating increases in applications received.

2-37 SECTION 3. To the extent available for this purpose, the  
2-38 Health and Human Services Commission shall use supplemental federal  
2-39 funding provided for the administration of the supplemental  
2-40 nutrition assistance program to implement Subchapter B, Chapter 33,  
2-41 Human Resources Code, as added by this Act.

2-42 SECTION 4. This Act takes effect September 1, 2011.

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