

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 7, 2011

TO: Honorable Richard Pena Raymond, Chair, House Committee on Human Services

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

IN RE: HB985 by Menendez (Relating to the abuse, neglect, and exploitation of residents of certain facilities; creating an offense; providing penalties.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend Subtitle B, Title 4, Health & Safety Code by adding Chapter 260, reports of abuse, neglect and exploitation in nursing facilities, and investigations of those reports by the Department of Aging and Disability Services (DADS); adds new Article 2.271 to Chapter 2 of the Code of Criminal Procedure; and repeals Health & Safety Code, Chapter 242 Subchapter E. The bill repeals this section, but all of the provisions of Subchapter E are incorporated into the new Chapter 260.

Since the bill does not change current practices, it is assumed there will be no fiscal impact to DADS.

The bill would take effect immediately if it receives a two-thirds vote of all the members elected to each house. If the bill does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2011.

Local Government Impact

The bill would require municipal and county law enforcement agencies to conduct joint investigations with DADS into reports of abuse. The fiscal impact on local governments could be significant; however it would vary by locality depending on the number of reports of abuse and the scope of an investigation required in individual cases.

Source Agencies: 320 Texas Workforce Commission, 529 Health and Human Services Commission, 539 Aging and Disability Services, Department of

LBB Staff: JOB, CL, ML, MB, NB