

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 24, 2011

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB223 by Nelson (Relating to certain facilities and care providers, including providers under the state Medicaid program; providing penalties.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for SB223, As Passed 2nd House: a positive impact of \$506,658 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$326,170
2013	\$180,488
2014	\$180,488
2015	\$180,488
2016	\$180,488

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/ (Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1	Probable (Cost) from <i>Federal Funds</i> 555	Change in Number of State Employees from FY 2011
2012	(\$142,378)	\$468,548	(\$40,765)	2.0
2013	(\$141,010)	\$321,498	(\$40,309)	2.0
2014	(\$141,010)	\$321,498	(\$40,309)	2.0
2015	(\$141,010)	\$321,498	(\$40,309)	2.0
2016	(\$141,010)	\$321,498	(\$40,309)	2.0

Fiscal Analysis

The bill would amend Chapter 142 of the Health and Safety Code, regarding home and community service training, Chapter 250 of the Health and Safety Code and Chapter 411 of the Government Code regarding criminal background checks, Chapter 531 of the Government Code and Chapter 22, regarding the general functions of the Department of Human Services, Chapter 32 of the Human Resources Code regarding Medicaid fraud, and Chapter 103 of the Human Resources Code regarding adult day-care facilities. The bill affects verification of employability, Medicaid fraud reporting and exchange of information with the Office of Inspector General.

Methodology

The Department of Aging and Disability Services (DADS) indicated it would provide training at least semiannually for Home and Community Support Services Agencies (HCSSAs) and surveyors regarding common violations and charge up to \$50 for training. The bill also authorizes DADS to charge HCSSAs an administrative fee not to exceed \$50 for certain changes made after DADS issues a license. The DADS estimate included two (2) FTEs, and travel cost. DADS estimated a fiscal year (FY) 2012 cost of \$183,143 in All Funds (\$142,378 General Revenue) and FY 2013-2016 at \$181,319 in All Funds (\$141,010 General Revenue). DADS included estimated revenues for the trainings in FY 2012 at \$468,548 and for FY 2013-16 at \$321,498.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 539 Aging and Disability Services, Department of

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