

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 2, 2011**

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

**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 Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB223, As Engrossed: a positive impact of \$291,262 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	\$218,472
2013	\$72,790
2014	\$72,790
2015	\$72,790
2016	\$72,790

**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)	\$360,850	(\$40,765)	2.0
2013	(\$141,010)	\$213,800	(\$40,309)	2.0
2014	(\$141,010)	\$213,800	(\$40,309)	2.0
2015	(\$141,010)	\$213,800	(\$40,309)	2.0
2016	(\$141,010)	\$213,800	(\$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 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.

The bill would take effect September 1, 2011.

## **Methodology**

The Department of Aging and Disability Services (DADS) indicated it would provide semiannual training for Home Health Agencies (HHAs) regarding common violations. The bill would allow DADS to charge up to \$50 for training. The bill also authorizes DADS to charge HHAs a \$50 administrative fee for certain changes made after DADS issues a license. DADS estimate included two (2) FTEs and travel costs of \$15,000 per year. DADS estimated a Fiscal year (FY) 2012 cost of \$183,143 All Funds (\$142,378 General Revenue) and FY 2013-2016 at \$181,319 All Funds (\$141,010 General Revenue). DADS included estimated revenues from the trainings in FY 2012 of \$360,850 and for FY 2013-16 at \$213,800.

## **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

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