

## **BILL ANALYSIS**

H.B. 2276  
By: Crownover  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

When the guardian of an individual with an intellectual disability inquires about the residential services available for the individual, the local authority is required by law to provide the person with information on all available options, including residential services offered at state supported living centers. However, interested parties are concerned that many authorities either are not providing information on state supported living centers or are portraying the centers in a negative light and discouraging guardians from placing an individual in a center. H.B. 2276 seeks to ensure that persons seeking certain residential services are given unbiased and informative written material about the services available at state supported living centers.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **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. 2276 amends the Health and Safety Code to require the Department of Aging and Disability Services, in addition to providing the required explanation of the programs and services for which a person with mental retardation who is seeking residential services is determined to be eligible, to ensure that each person inquiring about residential services receives a pamphlet or similar informational material explaining that a state supported living center may be an option available to an individual who is eligible for those services and information relating to whether the appropriate residential services are available in the state supported living center located nearest to the residence of the proposed resident.

### **EFFECTIVE DATE**

September 1, 2013.