

BILL ANALYSIS

H.B. 2454
By: Frank
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law establishes the requirements for a county to be eligible for state funds to assist the county in providing health care services to certain indigent county residents. Such eligibility requirements include the county spending a certain amount in a state fiscal year on indigent health care services. Interested parties report that the cost of health care provided to an indigent inmate of a county jail or other county correctional facility currently cannot be credited toward eligibility for state assistance unless the inmate completes an application for indigent health care assistance. The parties express concern that many inmates are unwilling to provide the required financial information on the application, thereby preventing a county from using those expenditures to qualify for state assistance. H.B. 2454 seeks to address this concern by simplifying the process for counties to comply with the requirements to access state assistance funds for indigent health care.

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. 2454 amends the Health and Safety Code to include an expenditure for health care services provided at a hospital or other health care provider to an eligible resident who is an inmate of a county jail or another county correctional facility among the expenditures a county may credit toward eligibility for state assistance under the Indigent Health Care and Treatment Act, regardless of the application, documentation, and verification procedures or eligibility standards established by the Department of State Health Services under that act.

EFFECTIVE DATE

September 1, 2013.