

BILL ANALYSIS

C.S.H.B. 3401
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Industry experts have reported that the increase in obesity, diabetes, and heart disease can be linked to unhealthy food choices. Many recipients of benefits through the Temporary Assistance for Needy Families program, the Medicaid program, and the supplemental nutrition assistance program use the Health and Human Services Commission's online portal to view their benefits, and interested parties assert that the portal could be used to encourage recipients to make choices to eat healthy and be physically active. C.S.H.B. 3401 seeks to increase access to nutrition and wellness education for such recipients.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3401 amends the Government Code, to add temporary provisions set to expire September 1, 2015, to require the Health and Human Services Commission (HHSC) to work with community-based organizations to encourage individuals receiving benefits under the Temporary Assistance for Needy Families program, the Medicaid program, and the supplemental nutrition assistance program to access readily available and existing online information and programs, including information provided on HHSC's website, that provide nutrition and wellness education for the purpose of promoting healthy eating habits and a physically active lifestyle.

C.S.H.B. 3401 requires HHSC, not later than January 1, 2015, to report to the legislature on the use of nutrition and wellness education information provided on HHSC's website and requires the report to include feedback from clients on the effectiveness of the information accessed and any available data on the number of individuals who accessed the information.

C.S.H.B. 3401 authorizes the executive commissioner of HHSC to adopt rules to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3401 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0995 to read as follows:

Sec. 531.0995. NUTRITION AND WELLNESS EDUCATION PROGRAM.

(a) The commission shall establish an online program to provide a nutrition and wellness education course that promotes healthy eating habits and a physically active lifestyle. The commission shall develop the program in the most cost-effective manner possible by using the Internet and existing nutrition information and educational resources.

The program should target individuals receiving benefits under:

- (1) the financial assistance program under Chapter 31, Human Resources Code;
- (2) the medical assistance program under Chapter 32, Human Resources Code; and
- (3) the supplemental nutrition assistance program under Chapter 33, Human Resources Code.

(b) The commission shall work with community-based organizations to encourage individuals receiving benefits to access the information described by Subsection (a).

(c) Not later than January 1, 2015, the commission shall report to the legislature on the program. The report must include:

- (1) feedback from clients on the effectiveness of the information provided; and
- (2) any available data on the number of individuals who accessed the information.

(d) The executive commissioner may adopt rules to implement this section.

(e) This section expires September 1, 2015.

SECTION 2. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0995 to read as follows:

Sec. 531.0995. NUTRITION AND WELLNESS EDUCATION.

(a) This section applies to individuals receiving benefits under:

- (1) the financial assistance program under Chapter 31, Human Resources Code;
- (2) the medical assistance program under Chapter 32, Human Resources Code; or
- (3) the supplemental nutrition assistance program under Chapter 33, Human Resources Code.

(b) The commission shall work with community-based organizations to encourage individuals receiving benefits to access readily available and existing online information and programs, including information provided on the commission's website, that provide nutrition and wellness education for the purpose of promoting healthy eating habits and a physically active lifestyle.

(c) Not later than January 1, 2015, the commission shall report to the legislature on the use of nutrition and wellness education information provided on the commission's website. The report must include:

- (1) feedback from clients on the effectiveness of the information accessed; and
- (2) any available data on the number of individuals who accessed the information.

(d) The executive commissioner may adopt rules to implement this section.

(e) This section expires September 1, 2015.

SECTION 2. Same as introduced version.

affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3. This Act takes effect September 1, 2013.

SECTION 3. Same as introduced version.