

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 27, 2013

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1057 by Nelson (Relating to information about private health care insurance coverage and the health insurance exchange for individuals applying for certain Department of State Health Services health or mental health benefits, services, and assistance.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would implement a recommendation in the report, “Maximize the Use of Private Health Insurance Coverage for Certain Clients Served by the Department of State Health Services,” in the Legislative Budget Board's Government Effectiveness and Efficiency Report, submitted to the Eighty-third Texas Legislature, 2013.

The bill would amend Chapter 1001 of the Texas Health and Safety Code and permit the Department of State Health Services (DSHS) to not provide a health or mental health benefit, service or assistance described in subsection (b) of the bill to an individual, unless the individual or the individual’s legally authorized representative attests that the he or she does not have access to private health care insurance coverage that provides the benefit, service or assistance provided by DSHS. If the individual has access to private health care insurance that provides coverage for the benefit, service or assistance provided by DSHS, the department may use information and authorization necessary to submit a claim for reimbursement from the insurer for that benefit, service or assistance. DSHS may waive the prohibition for an individual or for a health or mental health benefit, service or assistance if the department determines that it is necessary during a crisis or emergency.

The bill would also permit DSHS to develop and provide informational materials regarding health care insurance coverage and subsidies available under a health insurance exchange. This information must be provided to individuals, or their legally authorized representatives, who apply to receive a health or mental health benefit, service or assistance described in subsection (b) of the bill, and who has an income above 100 percent of the federal poverty level. The executive commissioner shall adopt rules necessary to implement the provisions of the bill.

Based on the LBB’s analysis of DSHS duties and responsibilities associated with implementing the provisions of the bill, the bill could be accomplished by utilizing existing agency resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of
LBB Staff: UP, CL, MH, ACI