

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 24, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB4001** by Raymond (Relating to the provision of habilitation and certain health care services by a home and community support services agency; authorizing a fee, providing penalties, and requiring an occupational license.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Chapter 142 of the Health and Safety Code to regulate the provision of habilitation services by licensed home and community services agencies. The bill would also amend Chapter 161 of the Human Resources Code to authorize the Department of Aging and Disability Services (DADS) to assess and collect administrative penalties from providers participating in the Home and Community-based Services (HCS) and Texas Home Living (TxHmL) waiver programs for violations of law or rule. Administrative penalties could only be imposed for actions occurring on or after September 1, 2015 (the bill's effective date).

DADS indicates that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The Health and Human Services Commission indicates that costs associated with rulemaking activities required by the bill could be absorbed within the agency's existing resources. This analysis assumes that the amount of any administrative penalty would be nominal and the number of violations would be similar to the number of sanctions in recent history. At these levels, no significant fiscal impact is anticipated.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission, 539 Aging and Disability Services, Department of

**LBB Staff:** UP, ADe, NB, WP, VJC