

## **BILL ANALYSIS**

Senate Research Center

S.C.R. 33  
By: Kolkhorst  
Health & Human Services  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The State of Texas entered into a system-wide settlement agreement (the "2009 Settlement Agreement") with the United States (U.S.) Department of Justice in 2009 to resolve the department's investigations of the 12 state-supported living centers operated by the Texas Department of Aging and Disability Services, as well as the Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions component of the Rio Grande State Center operated by the Texas Department of State Health Services (collectively, the "Centers").

As required by Section 111.003(a)(2), Civil Practice and Remedies Code, the Texas Legislature approved the 2009 Settlement Agreement in May 2009.

The State of Texas and the U.S. Department of Justice have provisionally agreed to amend the 2009 Settlement Agreement (the "Amended Agreement"), subject to legislative approval.

The Amended Agreement restructures the monitoring process, places greater focus on outcomes for the individuals served by the Centers, and strengthens services for individuals who move from a Center to live in community settings.

The Amended Agreement requires prior consent or subsequent approval by the legislature.

The Amended Agreement provides the state with a clear and achievable path to compliance that will enable the state to exit the agreement without costly litigation.

### **RESOLVED**

That the 85th Legislature of the State of Texas hereby approve the Amended Agreement.