

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 25, 2017**

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

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

**IN RE:** **HB337** by Collier (Relating to the continuation of certain public benefits, including medical assistance benefits, for individuals after release from confinement in a county jail.), **As Passed 2nd House**

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

The bill would amend the Human Resource Code to suspend or terminate Medicaid eligibility for certain individuals confined in a county jail. The bill would require the Health and Human Services Commission (HHSC) to reinstate Medicaid eligibility within 48 hours after being notified if the individual's eligibility certification period is still active. The bill would permit an individual to remain eligible until the expiration of the period for which the individual was certified.

The bill would amend the Local Government Code to permit a county sheriff to notify certain entities on the confinement and conviction of individuals receiving medical assistance benefits within 30 days of the individual's confinement or conviction. Under the provisions of the bill, if the sheriff or county provides notice of confinement or conviction, the sheriff would be required to provide notice of the individual's release from custody with 48 hours of the release. The bill would require the sheriff to provide certain information regarding reinstatement of the individual's eligibility for benefits to the individual upon the individual's release. The bill would require HHSC to establish a method to allow a sheriff or county employee to determine an individual's Medicaid eligibility status. Under the provisions of the bill, a county, sheriff or an employee is not liable in a civil action for damages resulting from the failure to comply with this section. The bill would allow the sheriff to enter into an agreement with a third party experienced in providing reintegration resources to former prisoners to assist with the reinstatement of a person's eligibility.

The bill would require a state agency to request a federal approval or waiver to implement a provision of the bill, and would allow for a delay in the implementation of the provision until approval is granted.

It is assumed there would be no significant fiscal impact to HHSC. It is assumed the agency could absorb a small cost in fiscal year 2018 for modifications to the Texas Integrated Eligibility Redesign System (TIERS). The impact to Medicaid caseloads is assumed to be small and any cost or savings would not be significant.

The bill would take effect September 1, 2017.

## **Local Government Impact**

According to the Texas Association of Counties, there could be a cost to counties; however, the fiscal impact cannot be determined.

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** UP, KCA, GG, BM, SD, JGA