**BILL ANALYSIS**

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| Senate Research Center | H.B. 3117 |
| 86R25272 EAS-F | By: Schaefer (Hughes) |
|  | Health & Human Services |
|  | 5/10/2019 |
|  | Engrossed |

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

The Health and Human Services Commission (HHSC) develops a two-year long-term care plan to determine the need for beds at intermediate care facilities for individuals with intellectual and developmental disabilities (ICF-IID). It has been suggested that HHSC is not explicitly required to take into account the specific needs of a given community when determining the number of ICF-IID beds for a particular region, which can lead to a facility lacking licensed beds sufficient to meet demand, despite having the capacity. Such a facility may then be forced to place families on an interest list, which can lead to waiting for years before a bed becomes available.

H.B. 3117 seeks to address this issue by requiring as part of the proposed plan a review of the statewide ICF-IID bed capacity and the development of a process to reallocate beds held in suspension.

H.B. 3117 amends the Health and Safety Code to require HHSC, as part of its proposed plan on long-term care for persons with an intellectual disability, to review the statewide bed capacity of community ICF-IID facilities for individuals with an intellectual disability or a related condition and, based on the review, develop a process to reallocate beds held in suspension by HHSC. The process may include criteria by which ICF-IID program providers may apply to HHSC to receive reallocated beds and a means to reallocate the beds among health services regions.

H.B. 3117 amends current law relating to developing the proposed plan on long-term care for persons with an intellectual disability.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 533A.062, Health and Safety Code, by adding Subsection (b-1), as follows:

(b-1)  Requires the Health and Human Services Commission (HHSC), as part of the proposed plan, to review the statewide bed capacity of community ICF-IID facilities for individuals with an intellectual disability or a related condition and, based on the review, develop a process to reallocate beds held in suspension by HHSC. Authorizes the process to include:

(1)  criteria by which ICF-IID program providers may apply to HHSC to receive reallocated beds; and

(2)  a means to reallocate the beds among health services regions.

SECTION 2. Effective date: upon passage or September 1, 2019.