

BILL ANALYSIS

Senate Research Center
86R24157 KFF-D

C.S.S.B. 1784
By: Zaffirini
State Affairs
4/5/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law provides up to \$175 per person per month for indigent guardianship services through Medicaid Applied Income. The cost of providing guardianship services, however, has increased since that amount was codified. Accordingly, the counties served by non-profit guardianship programs have decreased from 138 counties in 2006 to 69 counties in 2018. S.B. 1784 would provide up to \$250 per person per month to encourage the provision of guardianship services throughout the state. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1784 amends current law relating to the deduction from applied income of compensation paid to guardians of certain Medicaid recipients.

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 1155.202(a), Estates Code, as follows:

(a) Authorizes a court that appoints a guardian for a recipient of medical assistance who has applied income, notwithstanding any other provision of this title and to the extent permitted by federal law, to order certain expenses to be deducted as an additional personal needs allowance in the computation of the recipient's applied income in accordance with Section 32.02451 (Additional Personal Needs Allowance For Guardianship Expenses of Certain Recipients), Human Resources Code, including compensation to the guardian in an amount not to exceed \$250 per month, rather than \$175 per month. Makes no further changes.

SECTION 2. Provides that the changes in law made by this Act apply to a guardianship created before, on, or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2019.