

BILL ANALYSIS

S.B. 1341
By: Springer
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are several means-tested public assistance programs in which Texans may be eligible to participate. Eligibility differs for each program and is affected by changes in an individual's circumstances such as variation in income, death, lottery winnings, or moving out of state. State agencies in Texas collect and maintain data sets which are directly relevant to these eligibility factors, and there have been calls to make use of these data sets by requiring regular cross-checks to verify the eligibility of recipients of public assistance benefits. In an effort to deter fraud and waste and to save resources for those who truly need these programs, S.B. 1341 requires the Health and Human Services Commission to regularly conduct certain data matches and reviews in connection with public assistance programs.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

S.B. 1341 amends the Government Code to require the Health and Human Services Commission (HHSC), to the extent not otherwise provided by applicable law, to develop and implement methods for reducing abuse, fraud, and waste in public assistance programs in accordance with the bill. The bill requires HHSC, on a monthly basis, to do the following:

- conduct electronic data matches with the Texas Lottery Commission to determine if a SNAP recipient or a recipient's household member received reportable lottery winnings;
- use the Medicaid data collection system to match vital statistics unit death records with a list of individuals eligible for benefits under SNAP, the federal TANF program, or the state temporary assistance and support services program and ensure that any individual receiving assistance under such a program who is discovered deceased has their eligibility for assistance promptly terminated; and
- review the out-of-state electronic benefit transfer card transactions made by a SNAP recipient to determine whether those transactions indicate a possible change in the recipient's residence.

The bill requires HHSC to immediately review the eligibility of a recipient of public assistance benefits if HHSC discovers information through this data matching that affects the recipient's eligibility. A recipient who fails to disclose lottery winnings that are required to be reported to HHSC under a public assistance program presumptively commits a program violation. The bill requires the executive commissioner of HHSC to adopt rules necessary to implement these provisions of the bill relating to the integrity of certain public assistance programs.

S.B. 1341 expands the scope of the electronic data matching program under which HHSC is required to conduct quarterly electronic data matches for a Medicaid recipient to verify the identity, income, employment status, and other factors that affect the recipient's eligibility by requiring that data matching to be conducted for any recipient of benefits under a public assistance program, including Medicaid, TANF, SNAP, or another nutritional assistance program. The bill requires HHSC to enter into a memorandum of understanding with each state agency from which data is required to conduct electronic data matches under this program and under the bill's provisions relating to the integrity of certain public assistance programs.

S.B. 1341 amends the Human Resources Code to prohibit HHSC from accepting Medicaid eligibility determinations from an exchange established under the federal Affordable Care Act. HHSC may accept eligibility assessments from an exchange, but HHSC must determine the eligibility of an individual for Medicaid.

EFFECTIVE DATE

September 1, 2021.