

PUBLIC COMMENTS

HB 3720

HOUSE COMMITTEE ON HUMAN SERVICES

Hearing Date: April 6, 2021 8:00 AM

Susan Murphree

Disability Rights Texas

Austin, TX

House Human Services Committee

Comments on HB 3720 by Representative Frank

By Susan Murphree On Behalf of Disability Rights Texas

April 6, 2021

Thank you for the opportunity to provide comments on behalf of Disability Rights Texas (DRTx) on HB 3720 by Chairman Frank relating to interest lists and eligibility criteria for certain Medicaid waiver programs. Disability Rights Texas (DRTx) is Texas designated Protection and Advocacy (P&A) agency. DRTx works to ensure rights of Texans with disabilities are upheld and individuals are not discriminated against on the basis of a disability. I am Susan Murphree, Sr. Policy Specialist, with DRTx.

Thank you to Chairman Frank and his staff for discussions and consideration of impact interest lists on Texans with disabilities who are or may, in the future, be on interest lists. The bill seeks to improve communications so that individuals and the state agency are better able to stay in contact and update information about changes to demographic information, such as address changes, or loss of caregiver, and the ability to self report when and which services are anticipated to be needed. In addition, the bill proposes improvements to the Texas Home Living Waiver program related to income and disability, as recommended by stakeholders.

According to The Case for Inclusion 2020 by United Cerebral Palsy and ANCOR Foundation, Texas continues to fall far below other states in funding for Intellectual and Developmental Disabilities (IDD) services as evidenced by the largest growth of individuals on interest/waiting lists.. Until appropriations increase and interest lists are reduced or eliminated, Texas will still have much more to do to ensure Texans can access services with reasonable promptness. This bill helps by getting more information about those on the interest lists and addressing barriers to the lowest cost Medicaid waiver for individuals with IDD in Texas, Texas Home Living Waiver, while still not appropriating additional funds, which is in the hands of House Appropriations and Senate Finance. Individuals with IDD are often on the interest list waiting for a Medicaid waiver for 15+ years.

Taking the steps laid out in the bill, assuming some updates to the bill under consideration, will be beneficial to Texans waiting for Medicaid Waiver services. Thanks again to Chairman Frank for proposing these important next steps regarding the interest list.

Thank you for consideration of these comments. For more information, please contact Susan Murphree at smurphree@disabilityrightstx.org or 512 913 4501 (cell).

Michelle Lunday

self - stay at home parent

Trophy Club, TX

Thank you for the opportunity to provide SUPPORT for HB 3720. These provisions of HB 3720, combined with ongoing funding of the waitlist, can lead to more timely access to community-based services for Texans with intellectual and developmental disabilities (IDD).

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Lisa Flores
Easterseals Central Texas
Austin, TX

For almost 80 years Easterseals has been committed to providing high quality, person-centered services to children and adults with disabilities and their families. Our mission is to promote independence and create opportunities for people with disabilities to pursue their hopes and dreams. We appreciate the opportunity to provide public comment and are submitting these comments on behalf of members of the Easterseals Coalition Serving Texas, comprised of four Texas Easterseals affiliates: Easterseals Central Texas, Easterseals Greater Houston, Easterseals North Texas and Easterseals Rio Grande Valley.

Our Texas affiliates provide an array of services to individuals with disabilities across the lifespan in urban and rural areas throughout the state, and the majority of our families access special education services at some point. We are an advocacy group that focuses on disability issues, we oppose HB3720. People with disabilities are waiting more than 15 years on interest lists and their needs change. People already have to renew interest on a yearly basis to remain on the interest lists.

Susan Burek
Self: I am Parent and advocate
Austin, TX

Overall, I am FOR this bill, but I am AGAINST the language in Section (e) regarding individuals on the interest list who fail to respond to written or verbal requests for updates to interest list information or who fail to maintain contact with HHSC. Per Section (e) (2), individuals who remain inactive for 4 or more years will be excluded from subsequent reports for the waiver program interest lists for which they applied.

There are many valid reasons why individuals might not respond to the questionnaire, including change of address, where HHSC may have the individual's current address because the person is receiving other programs or services, but their old address is still associated with their waiver interest list record.

It is INACCURATE for HHSC to classify an individual as "failure to respond to written or verbal requests or failure to maintain contact with HHSC" if the individual has received services or benefits from HHSC within the past year, including SNAP, Medicaid, CHIP, Child Protective Services, Adult Protective Services, any other Community Attendant Services, Personal Attendant Services, or Community First Choice programs, other waiver program interest lists, or any other HHSC-related or SSI-related service or benefit. For individuals who failed to respond, receipt of any of these programs or services means that HHSC has valid information that could allow them to locate these individuals.

Please add language to HB 3720 that REQUIRES HHSC to perform data matches for individuals who failed to respond to waiver interest list questionnaires with data files for other HHSC-related or SSI-related programs or services (described above) to identify possible data matches on at least two identifying characteristics, such as SSN and DOB. When possible data matches are found, HHSC should attempt to contact the individual at the address associated with the matching data file before removing the individual from any subsequent reports for waiver program interest lists for which they applied.

There may be a fiscal note associated with this request, but there is a higher moral cost associated with dropping individuals off of the Medicaid waiver interest list due to their failure to respond to the questionnaire when HHSC has information about their location because they are currently enrolled (or were recently enrolled) in other programs or services at HHSC.

Thank you very much for considering this important modification to HB 3720, which would require HHSC to use existing information within its own data systems to try to locate individuals who fail to respond to the questionnaires, before removing these individuals from any subsequent waiver interest list reports.