

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 24, 2023

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3807 by Klick (Relating to the establishment of a family health aide program; requiring an occupational license.), **As Introduced**

The fiscal implications of the bill cannot be determined at this time because the Health and Human Services Commission does not have enough information regarding the provider population that would provide the benefit.

The bill would require the Health and Human Services Commission (HHSC), in consultation with the Texas Board of Nursing (TBN) and STAR Kids Managed Care Advisory Committee, to develop and implement a family health aide program. The bill would establish program eligibility for the family health aide program.

The bill would require HHSC to develop a screening tool or instrument to identify recipients who are eligible to participate and notify them of the potential availability of the program. The bill would require HHSC to develop an application, training, testing, other minimum qualification standards, and rules and procedures for a health aide license. The bill would require HHSC to develop and approve a health aide training program as specified by the bill and would not allow HHSC to impose a fee for the training.

The bill would establish a limited scope of practice for license holders.

The bill would require HHSC to establish and maintain a registry of licensed health aides.

The bill would require HHSC to provide information to Home and Community Support Services Agencies (HCSSA) about the program.

The bill would require HHSC to reimburse a HCSSA for services provided to a recipient by a licensed health aide and make reimbursement subject to an enhance reimbursement rate of a certified nursing assistant.

The bill would take effect September 1, 2023.

Due to insufficient information related to the provider population that would provide the benefit, the fiscal implications of the bill cannot be determined at this time.

According to information provided by HHSC, there are approximately 6,000 children enrolled in the STAR Kids program. An estimated 4,500 parents or guardians are assumed to require the license. The bill does not define whether managed care organizations (MCOs) would be providing reimbursement for services or whether service utilization in fee-for-service programs may increase. There may be impacts to capitation rates if MCOs are required to reimburse services, or an impact to fee-for-service programs if MCOs are not responsible for reimbursement.

According to information provided by HHSC, additional regulatory staff would be needed to comply with the bill. It is assumed HHSC would need additional staff to develop and oversee the new program, create and maintain a registry, conduct enforcement reviews, and assist with other indirect agency functions. Analysis assumes a total of 19.4 full-time-equivalents (FTEs) are needed in fiscal year 2024 through fiscal year 2025,

and 18.4 FTEs are needed from fiscal year 2026 through fiscal year 2028, to implement the provisions of the bill. Personnel related costs, including salaries, travel, and overhead, are estimated to total \$2,217,427 in All Funds in fiscal year 2024 and \$2,116,399 in All Funds in fiscal year 2025.

In addition, it is estimated that one-time costs of \$3,780,655 in All Funds in fiscal year 2024 and \$3,778,773 in All Funds in fiscal year 2025 would be needed to modify the Texas Unified Licensure Information Portal to account for the new licenses, maintain a registry, and other modifications to comply with the bill.

Costs for HHSC are not included in the table above, but noted here to provide additional fiscal implications associated with the bill.

It is assumed the Texas Board of Nursing can absorb any costs associated with the bill with existing resources.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time.

Source Agencies: 507 Texas Board of Nursing, 529 Health and Human Services Commission

LBB Staff: JMc, NPe, ER, SB, NV