

The 81st Texas Legislature Weekly Review: Week Three (Part 2)

A CLOSER LOOK AT THE HEALTH AND HUMAN SERVICES BUDGETS

The budget documents will change on at least a daily basis over the course of the legislative session. This is a preliminary analysis of only portions of the senate and house versions of the budget for Fiscal Years 2010-2011, as available in January 2009. The Arc of Texas will continue to track the budget process as closely as possible, in order to provide you with the most recent and reliable budget news.

Overall, the health and human services agency budgets in the Senate budget bill (SB1, already filed) and the House version of the bill (available at www.lbb.state.tx.us) look fairly similar, with the exception of the \$200 million General Revenue contingency rider in the Senate version of the budget bill. See below for last week's information of this rider.

Department on Aging and Disability Services: The senate and house versions of the budget include identical budget increases for several DADS Long-Term Care Services and Supports Programs. The proposed budget increases in the Primary Home Care, Community Attendant Services, Day Activity & Health Services and PACE (all inclusive care for seniors) Programs account for services to an additional 6,992 individuals with physical disabilities and/or seniors over the numbers being served through these programs in Fiscal Year 2009. The proposed budget increased in the HCS Medicaid Waiver and CLASS Medicaid Waiver account for services to an additional 632 individuals with intellectual and/or developmental disabilities over the numbers being served through these programs in Fiscal Year 2009. Also of interest is the growth of the Promoting Independence initiatives, in both budget versions, by approximately \$20.5 million General Revenue.

The DADS community ICF/MR line item is reduced by a proposed \$3.5 million GR and the State School line item is reduced by a proposed \$413,933. These reductions are found in both versions of the budget.

Department of Assistive and Rehabilitative Services: The senate and house versions of the budget include identical budget increases and decreases for DARS programs of interest. More specifically, Early Childhood Intervention (ECI) Services receives a proposed \$11.6 budget increase, yet the line item for Training, Evaluation and Assistance to ensure .quality ECI services is cut by approximately \$13,000. The DARS Autism Program budget is reduced by a proposed \$830,000.

Department of State Health Services: Both the senate and house versions of the budget propose a \$1.17 million GR reduction for the Children with Special Health Care Needs line item. Both versions also call for a reduction of \$11.8 million GR in the Mental Health State Hospitals line item.

Special Provisions Relating to All Health and Human Services Agencies: Sec. 48. Contingency Appropriation for the Reshaping of the System for Providing Services to Individuals with Developmental Disabilities. If funds are available, then \$200 million in GR will:

1. Fund 6,000 Home and Community Based Services (HCS) Medicaid Waiver Program "slots" to help address the significant wait times for this waiver. In addition to addressing the disproportionate wait times, the "slots" are also supposed to address the ongoing and newly proposed promoting independence initiatives. See the notes for more information. For example, a minimum of 500 "slots" will be used to move state school residents to the community by the end of the 2010-11 biennium. See the next bullet for more information. Therefore, it is not known at

this time how many individuals will actually move off the 8-9 year HCS waiting lists. As more information is gathered, we pass it along to you.

NOTE: People on the HCS waiting list are still waiting as long as 8-9 years. The wait time is much shorter in other waivers. For more information about actual wait times for waivers, go to the "Time on the Interest List, Number of Persons by Waiver" Table at <http://www.dads.state.tx.us/services/interestlist/index.html>. ***** DADS Updated Table on January 15, 2009*****

NOTE: The specific promoting independence initiatives that would be addressed via the 6,000 "slot" allocation are: (1) individuals moving out of medium and large ICFs/MR, (2) children aging out of foster care services at the Department of Family and Protective Services, (3) children who are at risk of being institutionalized in ICFs/MR, and (4) individuals who are at imminent risk of institutionalization as a result of emergency or crisis situations.

2. Move a significant number of state school residents to the community via the HCS waiver program. Specifically, the language requires DADS to move approximately 1,500 individuals out of state schools and to the community over four years (Fiscal Years 2010-11 and 2012-13). The senate proposal states that a minimum of 500 state school residents must be moved to the community by the end of the FY2010-11 biennium. These 500 "slots" would come from the 6,000 "slots" discussed previously. Furthermore, at the end of the four years, the state school census is capped at no more than 3,000 individuals total with the census per state school campus being capped at no more than 350 individuals.

3. The rider also removes the case management function from HCS providers to Mental Retardation Authorities (MRAs), thereby establishing an independent case management model such as that seen previously in the MRLA pilot project in the late 1990s and early 2000s.

For more information on the budget, contact Amy Mizcles (amizcles@thearcoftexas.org).