

CHAPTER 830

S.B. No. 1052

An Act relating to eligibility to receive services under the Crippled Children's Services Act; amending Section 4, Crippled Children's Services Act, as amended (Article 4419c, Vernon's Texas Civil Statutes).

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 4, Crippled Children's Services Act, as amended (Article 4419c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 4. (a) *Except as provided by Subsection (b) of this section, a [A] child is not eligible to receive services provided under this Act, unless:*

"(1) the child is a resident of the state;

"(2) at least one licensed physician or dentist has certified to the department that he examined the child and found the child to be a crippled child whose disability meets the medical criteria established by the board;

"(3) the physician or dentist has reason to expect that the services provided will improve the child's condition or will extend the child's ability to function independently; and

"(4) the department has determined that every person who has a legal obligation to provide services for the child is unable to pay for the entire cost of the services.

"(b) *The program may provide the initial diagnostic examination required under Subdivision (2) of Subsection (a) of Section 4 of this Act to determine if a child who meets the financial, age, and residency requirements is eligible to receive services under this Act.*

"(c) *The board shall adopt rules that clearly define the medical and financial criteria necessary for a person to be eligible to receive services under this Act.*

"(d) *The board shall provide a system for verifying the eligibility information submitted by an applicant for services.*

"(e) [~~(b)~~] A child is not eligible to receive services provided by this Act to the extent that a person who has a legal obligation to provide for the child's care and treatment is financially able to pay for all or part of the services provided by this Act. The department shall require the child or a person who has a legal obligation to provide for the child's care and treatment and who is financially able to bear a portion of the expense to pay for or reimburse the department for the portion of the cost of the services provided by the department to the child for whom application is made or by whom the services are received."

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 22, 1985, by the following vote: Yeas 28, Nays 0; Senate concurred in House amendment on May 21, 1985, by the following vote: Yeas 31, Nays 0; passed the House, with amendment, on May 17, 1985, by the following vote: Yeas 134, Nays 0, one present not voting.

Approved: June 15, 1985

Effective: Immediately