

## CHAPTER 526

## S.B. No. 1470

## AN ACT

relating to the provision of certain services to elderly persons by the Texas Department on Aging and the Texas Department of Human Services.

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

SECTION 1. Subchapter B, Chapter 101, Human Resources Code, is amended by adding Section 101.0255 to read as follows:

*Sec. 101.0255. SERVICE STANDARDS AND AGREEMENTS. (a) The department and the Texas Department of Human Services, with the approval of the Health and Human Services Commission, shall work to ensure consistency in service standards used by the respective agency in the provision of the same or substantially similar services under a community program on aging under Subchapter III, Older Americans Act of 1965 (42 U.S.C. Section 3001 et seq.), or the Options for Independent Living program and a community care program of the Texas Department of Human Services.*

*(b) Not later than January 1, 1994, the department and the Texas Department of Human Services, in accordance with federal law, including the Older Americans Act of 1965 (42 U.S.C. Section 3001 et seq.), shall enter into an agreement that allows an area agency on aging to:*

*(1) jointly contract with a service provider that is under contract with the Texas Department of Human Services to provide services under a community care program; and*

*(2) use the billing and audit procedures of the Texas Department of Human Services to eliminate unnecessary duplication and to secure reduced rates through economies of scale.*

SECTION 2. Subsection (d), Section 101.044, Human Resources Code, is amended to read as follows:

(d) An area agency on aging may not directly provide homemaker, home health, residential repair, respite, meal delivery, or transportation service unless the area agency:

*(1) receives no response to a request for proposals that meets department standards; and*

*(2) has exhausted all other procurement options available under department rules.*

SECTION 3. This Act takes effect September 1, 1993.

SECTION 4. 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.

Passed the Senate on May 10, 1993, by a viva-voce vote; passed the House on May 22, 1993, by a non-record vote.

Approved June 8, 1993.

Effective Sept. 1, 1993.