

1 AN ACT

2 relating to the operation and efficiency of the eligibility  
3 determination process for supplemental nutrition assistance  
4 program benefits.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 33, Human Resources Code, is amended by  
7 designating Sections 33.0005 through 33.028 as Subchapter A and  
8 adding a subchapter heading to read as follows:

9 SUBCHAPTER A. NUTRITIONAL ASSISTANCE PROGRAMS IN GENERAL

10 SECTION 2. Chapter 33, Human Resources Code, is amended by  
11 adding Subchapter B to read as follows:

12 SUBCHAPTER B. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM:

13 ELIGIBILITY DETERMINATION PROCESS EFFICIENCY

14 Sec. 33.051. DEFINITIONS. In this subchapter:

15 (1) "Commission" means the Health and Human Services  
16 Commission.

17 (2) "Supplemental nutrition assistance program" means  
18 the nutritional assistance program formerly referred to as the food  
19 stamp program.

20 Sec. 33.052. APPLICATION ASSISTANCE. (a) The commission  
21 shall develop procedures to ensure that:

22 (1) clear guidance on program eligibility  
23 requirements is provided to supplemental nutrition assistance  
24 applicants and prospective applicants and mechanisms are

1 established, including Internet and e-mail mechanisms, as  
2 appropriate, by which applicants can obtain answers to basic  
3 program-related questions; and

4 (2) information is provided to each applicant in  
5 person, by e-mail, by telephone, or through the mail, as  
6 appropriate, about information the applicant is required to submit  
7 for purposes of the eligibility determination process.

8 (b) The commission shall consider the feasibility and  
9 cost-effectiveness of using office personnel or an automated system  
10 or systems to support the eligibility determination process by  
11 contacting an applicant in advance of an applicant's scheduled  
12 interview to remind the applicant of the interview and the  
13 documentation that must be presented at the interview.

14 Sec. 33.053. USE OF TECHNOLOGY TO PROMOTE EFFICIENCY AND  
15 FRAUD DETECTION. (a) The commission shall consider the  
16 feasibility and cost-effectiveness of using readily available  
17 document scanning technology to reduce storage and maintenance  
18 costs and potential loss of data by creating electronic case files  
19 for supplemental nutrition assistance cases instead of maintaining  
20 physical files for those cases. The commission shall use that  
21 technology if determined feasible and cost-effective.

22 (b) The commission shall implement, if feasible and  
23 cost-effective, a risk scoring program for supplemental nutrition  
24 assistance applications to streamline the eligibility  
25 determination process, reduce errors, and strengthen fraud  
26 detection. A risk scoring program implemented by the commission  
27 must be capable of ranking applications based on complexity so

1 that:

2 (1) more experienced eligibility determination staff  
3 members can be used to process more difficult cases and cases with  
4 fraud characteristics; and

5 (2) applications ranked as low-risk on fraud  
6 characteristics can be processed more expeditiously.

7 Sec. 33.054. WORKFORCE MANAGEMENT. The commission shall  
8 improve its management of supplemental nutrition assistance  
9 eligibility determination staff by:

10 (1) establishing clear performance expectations that  
11 can serve as the basis for performance assessments;

12 (2) planning for anticipated staffing needs;

13 (3) revising policies regarding overtime and accrual  
14 of compensatory time to ensure that eligibility determination staff  
15 members have access to supervisors as necessary;

16 (4) assessing the effectiveness of training provided  
17 to new eligibility determination staff members; and

18 (5) evaluating the compensation of eligibility  
19 determination staff members to determine if the compensation is  
20 sufficient to recruit qualified staff members and retain  
21 experienced staff members.

22 Sec. 33.055. PROGRAM MANAGEMENT INFORMATION. (a) The  
23 commission, in conjunction with state, regional, and local  
24 eligibility determination offices, shall identify eligibility  
25 determination program performance indicators with respect to which  
26 data should periodically be collected. The commission shall  
27 implement a process for collecting data on the identified

1 performance indicators.

2       **(b) The commission shall provide periodic management**  
3 **reports generated by the automated eligibility system to**  
4 **eligibility determination offices. The reports must include**  
5 **information regarding the number of pending supplemental nutrition**  
6 **assistance applications and the number of those applications that**  
7 **have not been processed within applicable timeliness standards.**

8       **(c) The commission shall use data collected under**  
9 **Subsection (a) and the reports described by Subsection (b) to**  
10 **develop and assess strategies for:**

11               **(1) streamlining the supplemental nutrition**  
12 **assistance eligibility determination process;**

13               **(2) improving timeliness of eligibility**  
14 **determinations; and**

15               **(3) accommodating increases in applications received.**

16       SECTION 3. To the extent available for this purpose, the  
17 Health and Human Services Commission shall use supplemental federal  
18 funding provided for the administration of the supplemental  
19 nutrition assistance program to implement Subchapter B, Chapter 33,  
20 Human Resources Code, as added by this Act.

21       SECTION 4. This Act takes effect September 1, 2011.

David Dewhurst

President of the Senate

Joe Straus

Speaker of the House

I certify that H.B. No. 2819 was passed by the House on May 13, 2011, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 2819 was passed by the Senate on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Robert Spaw

Secretary of the Senate

APPROVED: 17 JUN '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

4pm O'CLOCK

JUN 17 2011

Robert Spaw

Secretary of State