



THE SENATE OF TEXAS
COMMITTEE ON HEALTH AND HUMAN SERVICES

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March 30, 2010

Mr. Barton Hermer
2625 Mariposa Circle
Plano, Texas 75075

Dear Mr. Hermer:

Thank you for sending me materials about your pending child abduction case in Great Britain. As a mother of five, I cannot imagine how tremendously difficult this experience is for you.

As Chairman of the Senate Committee on Health and Human Services, let me assure you that residency is a critical requirement in order to receive assistance from programs such as Medicaid and the Children's Health Insurance Program. Both state and federal law are clear on this point. Fraud in these programs is investigated by the Texas Health and Human Services Commission, which states: " People who live in Texas (other than migrant or itinerant work) meet the residency requirement if they are living in Texas with the intention to remain permanently or for an indefinite period of time. People who live in Texas for a temporary purpose do not meet the residency requirement."

I am not an attorney and cannot speak to the facts of your case or provide any legal guidance. However, as sponsor of the Prevention of International Parental Child Abduction Act in 2003, I can state that it was my legislative intent to give our courts greater authority to prevent children from being abducted into foreign countries where Texas laws do not apply.

You have my permission to use this letter in any way that would be helpful to your case. Please know that I will be mindful of your painful experience as we discuss related state laws during the next session. In the meantime, you and your family will remain in my prayers.

Very truly yours,

A handwritten signature in cursive script that reads "Jane Nelson".

Senator Jane Nelson