

By: Schwertner

S.B. No. 277

A BILL TO BE ENTITLED

AN ACT

relating to the abolition of certain health-related task forces,
work groups, advisory councils, and advisory committees.

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

SECTION 1. (a) The Information and Referral System Task
Force is abolished.

(b) Section 531.0314, Government Code, is repealed.

SECTION 2. (a) The Volunteer Advocate Program Advisory
Committee is abolished.

(b) Sections 531.057(b) and (c), Government Code, are
amended to read as follows:

(b) The executive commissioner shall ~~[coordinate with the
advisory committee established under Section 531.0571 to]~~ develop a
volunteer advocate program for the elderly receiving services from
or under the direction of the commission or a health and human
services agency.

(c) In developing the program, the executive commissioner
~~[and the advisory committee]~~ shall adhere to the following
principles:

(1) the intent of the program is to evaluate, through
operation of pilot projects, whether providing the services of a
trained volunteer advocate selected by an elderly individual or the
individual's designated caregiver is effective in achieving the
following goals:

1 (A) extend the time the elderly individual can
2 remain in an appropriate home setting;

3 (B) maximize the efficiency of services
4 delivered to the elderly individual by focusing on services needed
5 to sustain family caregiving;

6 (C) protect the elderly individual by providing a
7 knowledgeable third party to review the quality of care and
8 services delivered to the individual and the care options available
9 to the individual and the individual's family; and

10 (D) facilitate communication between the elderly
11 individual or the individual's designated caregiver and providers
12 of health care and other services;

13 (2) a volunteer advocate curriculum must be
14 established that incorporates best practices as determined and
15 recognized by a professional organization recognized in the elder
16 health care field;

17 (3) the use of pro bono assistance from qualified
18 professionals must be maximized in developing the volunteer
19 advocate curriculum and designing the program;

20 (4) trainers must be certified on the ability to
21 deliver training;

22 (5) training shall be offered through multiple
23 community-based organizations; and

24 (6) participation in the program is voluntary and must
25 be initiated by the elderly individual or the individual's
26 designated caregiver.

27 (c) Section [531.0571](#), Government Code, is repealed.

SECTION 3. (a) The Medicaid and Public Assistance Fraud Oversight Task Force is abolished.

(b) Section 22.028(c), Human Resources Code, is amended to read as follows:

(c) No later than the first day of each month, the department shall send the comptroller a report listing the accounts on which enforcement actions or other steps were taken by the department in response to the records received from the EBT operator under this section, and the action taken by the department. The comptroller shall promptly review the report and, as appropriate, may solicit the advice of the office of the inspector general [~~Medicaid and Public Assistance Fraud Oversight Task Force~~] regarding the results of the department's enforcement actions.

(c) Section 531.107, Government Code, is repealed.

SECTION 4. (a) The Office of Early Childhood Coordination Advisory Committee is abolished.

(b) Section 531.281, Government Code, is amended to read as follows:

Sec. 531.281. DEFINITION [~~DEFINITIONS~~]. In this chapter, "office" [~~+~~

~~(1) "Office"~~] means the Office of Early Childhood Coordination.

~~(2) "Advisory committee" means the Office of Early Childhood Coordination Advisory Committee.]~~

(c) Section 531.286, Government Code, is repealed.

SECTION 5. (a) The Work Group on Uncompensated Hospital

1 Care is abolished.

2 (b) Section 531.551(a), Government Code, is amended to read
3 as follows:

4 (a) The executive commissioner shall adopt rules providing
5 for:

6 (1) a standard definition of "uncompensated hospital
7 care";

8 (2) a methodology to be used by hospitals in this state
9 to compute the cost of that care [~~that incorporates the standard set~~
10 ~~of adjustments described by Section 531.552(g)(4)~~]; and

11 (3) procedures to be used by those hospitals to report
12 the cost of that care to the commission and to analyze that cost.

13 (c) Section 531.552, Government Code, is repealed.

14 SECTION 6. (a) The Sickle Cell Advisory Committee is
15 abolished.

16 (b) Section 33.052, Health and Safety Code, is amended to
17 read as follows:

18 Sec. 33.052. DUTIES OF DEPARTMENT. The department shall[+

19 [~~(1)~~] identify efforts related to the expansion and
20 coordination of education, treatment, and continuity of care
21 programs for individuals with sickle cell trait and sickle cell
22 disease[+

23 [~~(2)~~ ~~assist the advisory committee created under~~
24 ~~Section 33.053~~, and

25 [~~(3)~~ ~~provide the advisory committee created under~~
26 ~~Section 33.053 with staff support necessary for the advisory~~
27 ~~committee to fulfill its duties~~].

(c) Section 33.053, Health and Safety Code, is repealed.

SECTION 7. (a) The Arthritis Advisory Committee is abolished.

(b) Section 97.007, Health and Safety Code, is repealed.

SECTION 8. (a) The Youth Camp Training Advisory Committee is abolished.

(b) Section 141.0095(d), Health and Safety Code, is amended to read as follows:

(d) In accordance with this section [~~and the criteria and guidelines developed by the training advisory committee established under Section 141.0096~~], the executive commissioner of the Health and Human Services Commission by rule shall establish criteria and guidelines for training and examination programs on sexual abuse and child molestation. The department may approve training and examination programs offered by trainers under contract with youth camps or by online training organizations or may approve programs offered in another format authorized by the department.

(c) Section 141.0096, Health and Safety Code, is repealed.

SECTION 9. (a) The Home and Community Support Services Advisory Council is abolished.

(b) Section 142.009(1), Health and Safety Code, is amended to read as follows:

(1) The department and other state agencies that are under the Health and Human Services Commission and that contract with home and community support services agencies to deliver services for which a license is required under this chapter shall execute a

1 memorandum of understanding that establishes procedures to
2 eliminate or reduce duplication of standards or conflicts between
3 standards and of functions in license, certification, or compliance
4 surveys and complaint investigations. ~~[The Health and Human~~
5 ~~Services Commission shall review the recommendation of the council~~
6 ~~relating to the memorandum of understanding before considering~~
7 ~~approval.]~~ The memorandum of understanding must be approved by the
8 Health and Human Services Commission ~~[commission]~~.

9 (c) Sections 142.001(10) and 142.015, Health and Safety
10 Code, are repealed.

11 SECTION 10. (a) The Be a Blood Donor Advisory Committee is
12 abolished.

13 (b) Section 162.017, Health and Safety Code, is repealed.

14 SECTION 11. (a) The Advisory Committee on Assisted Living
15 Facilities is abolished.

16 (b) Section 247.006, Health and Safety Code, is repealed.

17 SECTION 12. (a) The Texas Food, Drug, and Cosmetic Act
18 Advisory Committee is abolished.

19 (b) Section 431.275, Health and Safety Code, is repealed.

20 SECTION 13. (a) The Advisory Committee on Inpatient Mental
21 Health Services is abolished.

22 (b) Section 571.027, Health and Safety Code, is repealed.

23 SECTION 14. (a) The Texas Medical Child Abuse Resources and
24 Education System Advisory Committee is abolished.

25 (b) Section 1001.155, Health and Safety Code, as added by
26 Chapter 1238 (S.B. 2080), Acts of the 81st Legislature, Regular
27 Session, 2009, is reenacted and amended to read as follows:

1 Sec. 1001.155. REQUIRED REPORT. Not later than December 1
2 of each even-numbered year, the department [~~, with the assistance~~
3 ~~of the advisory committee established under this subchapter,~~] shall
4 submit a report to the governor and the legislature regarding the
5 grant activities of the program and grant recipients, including the
6 results and outcomes of grants provided under this subchapter.

7 (c) Section 1001.153, Health and Safety Code, as added by
8 Chapter 1238 (S.B. 2080), Acts of the 81st Legislature, Regular
9 Session, 2009, is repealed.

10 SECTION 15. (a) The Advisory Committee for Services to Aged
11 and Disabled Persons is abolished.

12 (b) Section 22.010, Human Resources Code, is repealed.

13 SECTION 16. (a) The Interagency Inspection Task Force is
14 abolished.

15 (b) Section 42.0442(c), Human Resources Code, is amended to
16 read as follows:

17 (c) [~~The interagency task force shall establish an~~
18 ~~inspection checklist based on the inspection protocol developed~~
19 ~~under Subsection (b).~~] Each state agency that inspects a facility
20 listed in Subsection (a) shall use an [~~the~~] inspection checklist
21 established by the department in performing an inspection. A state
22 agency shall make a copy of the completed inspection checklist
23 available to the facility at the facility's request to assist the
24 facility in maintaining records.

25 (c) Section 42.0442(b), Human Resources Code, is repealed.

26 SECTION 17. If an entity that is abolished by this Act has
27 property, records, or other assets, the Health and Human Services

S.B. No. 277

1 Commission shall take custody of the entity's property, records, or
2 other assets.

3 SECTION 18. This Act takes effect September 1, 2015.