

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 25, 2019
Date

Honorable Dan Patrick
President of the Senate

Honorable Dennis Bonnen
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 982 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

J. W. Kolbe
Sen.

John South
Rep.

D. Campbell
Sen.

Albin
Rep.

Peter P. Flynn
Sen.

Seamus W. Morris
Rep.

Chad Perry
Sen.

Fondro Nevins
Rep.

On the part of the Senate

On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 982

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of disaster and emergency services,
3 including health care services, to certain populations.

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

5 SECTION 1. Subchapter C, Chapter 418, Government Code, is
6 amended by adding Sections 418.054 and 418.055 to read as follows:

7 Sec. 418.054. EMERGENCY PLAN FOR SPECIALTY CARE
8 POPULATIONS. The division, in consultation with the Department of
9 State Health Services and local governmental entities that have
10 established emergency management plans, shall develop a plan to
11 increase the capabilities of local emergency shelters in the
12 provision of shelter and care for specialty care populations during
13 a disaster.

14 Sec. 418.055. ACCESS TO LOCAL VOLUNTEER NETWORKS; VOLUNTEER
15 MOBILE MEDICAL UNITS. (a) The division, in consultation with the
16 Department of State Health Services, shall increase awareness of
17 and encourage local government emergency response teams to utilize
18 services provided by local volunteer networks, including the
19 Medical Reserve Corps, that are available in the area to respond
20 during a disaster or emergency.

21 (b) The division shall develop a plan to create and manage
22 state-controlled volunteer mobile medical units in each public
23 health region to assist counties that lack access to a volunteer
24 network described by Subsection (a).

1 (2) "Task force" means the task force established
2 under Section 418.132.

3 Sec. 418.132. ESTABLISHMENT; PURPOSE. The task force on
4 disaster issues affecting persons who are elderly and persons with
5 disabilities is established to study methods to more effectively:

6 (1) assist persons who are elderly and persons with
7 disabilities during a disaster or emergency evacuation; and

8 (2) accommodate persons who are elderly and persons
9 with disabilities in emergency shelters.

10 Sec. 418.133. COMPOSITION. (a) The task force is composed
11 of 11 members appointed by the governor, including:

12 (1) three members who are first responders;

13 (2) one member who represents municipalities;

14 (3) one member who represents counties; and

15 (4) six members who represent persons with
16 disabilities.

17 (b) A majority of the members appointed to the task force
18 must be persons with disabilities or guardians of children with
19 disabilities.

20 (c) Members serve staggered six-year terms with the terms of
21 three or four members expiring February 1 of each odd-numbered
22 year.

23 (d) The governor shall designate one member of the task
24 force to serve as the presiding officer of the task force. The
25 presiding officer serves in that capacity at the pleasure of the
26 governor.

27 Sec. 418.134. TASK FORCE STUDY. (a) The task force shall

1 study methods to more effectively accommodate persons who are
2 elderly and persons with disabilities during a disaster or
3 emergency evacuation. The study must examine and make
4 recommendations on:

5 (1) the provision of informational materials to
6 persons who are elderly and persons with disabilities before a
7 disaster occurs on disaster or emergency evacuation;

8 (2) the accessibility of transportation and medical
9 supplies to persons who are elderly and persons with disabilities
10 during a disaster;

11 (3) different solutions for accommodating persons who
12 are elderly and persons with disabilities during a disaster or
13 emergency evacuation of a rural or urban area;

14 (4) the ability to effectively communicate with
15 persons who are elderly and persons with disabilities during a
16 disaster; and

17 (5) the availability of volunteers to assist persons
18 who are elderly and persons with disabilities during an emergency
19 evacuation.

20 (b) The task force shall develop and submit a written report
21 of the study and recommendations developed by the task force to the
22 governor, the lieutenant governor, the speaker of the house of
23 representatives, and each member of the legislature not later than
24 December 1, 2020.

25 (c) This section expires June 1, 2021.

26 SECTION 3. The Texas Division of Emergency Management is
27 required to implement a provision of this Act only if the

1 legislature appropriates money specifically for that purpose. If
2 the legislature does not appropriate money specifically for that
3 purpose, the division may, but is not required to, implement a
4 provision of this Act using other appropriations available for that
5 purpose.

6 SECTION 4. This Act takes effect September 1, 2019.

Senate Bill 982
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

SECTION 1. Subchapter C, Chapter 418, Government Code, is amended by adding Sections 418.054 and 418.055 to read as follows:

Sec. 418.054. EMERGENCY PLAN FOR SPECIALTY CARE POPULATIONS.

Sec. 418.055. ACCESS TO LOCAL VOLUNTEER NETWORKS; VOLUNTEER MOBILE MEDICAL UNITS. (a) The division, in consultation with the Department of State Health Services, shall increase awareness of and encourage local government emergency response teams to utilize services provided by local volunteer networks, including the Medical Reserve Corps, that are available in the area to respond during a disaster or emergency.

(b) The division shall develop a plan to create and manage state-controlled volunteer mobile medical units in each public health region to assist counties that lack access to a volunteer network described by Subsection (a).

HOUSE VERSION (IE)

SECTION 1. Subchapter C, Chapter 418, Government Code, is amended by adding Sections 418.054 and 418.055 to read as follows:

Sec. 418.054. EMERGENCY PLAN FOR SPECIALTY CARE POPULATIONS.

Sec. 418.055. ACCESS TO LOCAL VOLUNTEER NETWORKS; VOLUNTEER MOBILE MEDICAL UNITS. (a) The division, in consultation with the Department of State Health Services, shall increase awareness of and encourage local government emergency response teams to utilize services provided by local volunteer networks, including the Medical Reserve Corps, that are available in the area to respond during a disaster or emergency.

(b) The division shall develop a plan to create and manage state-controlled volunteer mobile medical units in each public health region to assist counties that lack access to a volunteer network described by Subsection (a).

(c) The Department of State Health Services shall collaborate with local medical organizations that represent licensed physicians who practice in a county or public health region to:

(1) ensure the physicians are informed about local government emergency response teams and those teams are aware of physician resources in the county or region, as applicable;

(2) compile and maintain a list of physicians in the county or region and the contact information for the physicians;

(3) provide up-to-date information about resources for physicians regarding disaster planning, including continuing medical education;

CONFERENCE

SECTION 1. Same as House version.

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(4) promote the Texas Disaster Volunteer Registry and the Emergency System for Advance Registration of Volunteer Health Professionals;

(5) consider incentives to assist with recruiting physician volunteers; and

(6) encourage physicians and health professionals to advocate for disaster planning measures in health care facilities. [FA1]

No equivalent provision.

SECTION __. Chapter 418, Government Code, is amended by adding Subchapter F-1 to read as follows:

SUBCHAPTER F-1. DISASTER ISSUES AFFECTING PERSONS WHO ARE ELDERLY AND PERSONS WITH DISABILITIES

Sec. 418.131. DEFINITIONS. In this subchapter:

(1) "Disability" means, with respect to an individual, a mental or physical impairment that substantially limits at least one major life activity of that individual.

(2) "Task force" means the task force established under Section 418.132.

Sec. 418.132. ESTABLISHMENT; PURPOSE. The task force on disaster issues affecting persons who are elderly and persons with disabilities is established to:

(1) administer the grant program under Section 418.134; and

(2) study methods to more effectively:

(A) assist persons who are elderly and persons with disabilities during a disaster or emergency evacuation; and

(B) accommodate persons who are elderly and persons with disabilities in emergency shelters.

SECTION 2. Chapter 418, Government Code, is amended by adding Subchapter F-1 to read as follows:

SUBCHAPTER F-1. DISASTER ISSUES AFFECTING PERSONS WHO ARE ELDERLY AND PERSONS WITH DISABILITIES

Sec. 418.131. DEFINITIONS. In this subchapter:

(1) "Disability" means, with respect to an individual, a mental or physical impairment that substantially limits at least one major life activity of that individual.

(2) "Task force" means the task force established under Section 418.132.

Sec. 418.132. ESTABLISHMENT; PURPOSE. The task force on disaster issues affecting persons who are elderly and persons with disabilities is established to

study methods to more effectively:

(1) assist persons who are elderly and persons with disabilities during a disaster or emergency evacuation; and

(2) accommodate persons who are elderly and persons with disabilities in emergency shelters.

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Sec. 418.133. COMPOSITION. (a) The task force is composed of 11 members appointed by the governor, including:

- (1) three members who are first responders;
- (2) one member who represents municipalities;
- (3) one member who represents counties; and
- (4) six members who represent persons with disabilities, *including one who represents persons who are blind, one who represents persons who are deaf, and one selected from a list provided by ADAPT of Texas.*

(b) A majority of the members appointed to the task force must be persons with disabilities or guardians of children with disabilities.

(c) Members serve staggered six-year terms with the terms of three or four members expiring February 1 of each odd-numbered year.

(d) The governor shall designate one member of the task force to serve as the presiding officer of the task force. The presiding officer serves in that capacity at the pleasure of the governor.

Sec. 418.134. GRANT PROGRAM. (a) From funds appropriated for the purpose and gifts, grants, and donations accepted for the purpose, the division shall award grants as provided by this subchapter to provide financial support for:

- (1) activities that include persons who are elderly and persons with disabilities in the preparation for, response to, recovery from, and mitigation of disasters;*
- (2) strategies and procedures that implement community-level practices that decrease deaths, injuries, and harm resulting from disasters to persons who are elderly and persons with disabilities;*

Sec. 418.133. COMPOSITION. (a) The task force is composed of 11 members appointed by the governor, including:

- (1) three members who are first responders;
- (2) one member who represents municipalities;
- (3) one member who represents counties; and
- (4) six members who represent persons with disabilities.

(b) A majority of the members appointed to the task force must be persons with disabilities or guardians of children with disabilities.

(c) Members serve staggered six-year terms with the terms of three or four members expiring February 1 of each odd-numbered year.

(d) The governor shall designate one member of the task force to serve as the presiding officer of the task force. The presiding officer serves in that capacity at the pleasure of the governor.

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(3) the development of state and local policies that reinforce and promote the inclusion of persons who are elderly and persons with disabilities in community preparation for disasters; and

(4) research related to disasters and persons who are elderly and persons with disabilities.

(b) The task force shall review grant proposals and recommend grant recipients to the division. The division shall award grants based on those recommendations.

(c) The division shall establish procedures to administer the grant program, including a procedure for the submission of a proposal.

(d) The division shall enter into a contract with each grant recipient that includes performance requirements. The division shall monitor and enforce the terms of the contract. The contract must authorize the division to recoup grant money from a grant recipient for failure of the grant recipient to comply with the terms of the contract.

(e) The division may solicit and accept gifts, grants, and donations from any source for the purpose of awarding grants under this section.

Sec. 418.135. TASK FORCE STUDY. (a) The task force shall study methods to more effectively accommodate persons who are elderly and persons with disabilities during a disaster or emergency evacuation. The study must examine and make recommendations on:

(1) the provision of informational materials to persons who are elderly and persons with disabilities before a disaster occurs on disaster or emergency evacuation;

(2) the accessibility of transportation and medical supplies to persons who are elderly and persons with disabilities during a disaster;

Sec. 418.134. Sec. 418.135. TASK FORCE STUDY. (a) The task force shall study methods to more effectively accommodate persons who are elderly and persons with disabilities during a disaster or emergency evacuation. The study must examine and make recommendations on:

(1) the provision of informational materials to persons who are elderly and persons with disabilities before a disaster occurs on disaster or emergency evacuation;

(2) the accessibility of transportation and medical supplies to persons who are elderly and persons with disabilities during a disaster;

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(3) different solutions for accommodating persons who are elderly and persons with disabilities during a disaster or emergency evacuation of a rural or urban area;

(4) the ability to effectively communicate with persons who are elderly and persons with disabilities during a disaster; and

(5) the availability of volunteers to assist persons who are elderly and persons with disabilities during an emergency evacuation.

(b) The task force shall develop and submit a written report of the study and recommendations developed by the task force to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature not later than December 1, 2020.

(c) This section expires June 1, 2021. [FA2]

(3) different solutions for accommodating persons who are elderly and persons with disabilities during a disaster or emergency evacuation of a rural or urban area;

(4) the ability to effectively communicate with persons who are elderly and persons with disabilities during a disaster; and

(5) the availability of volunteers to assist persons who are elderly and persons with disabilities during an emergency evacuation.

(b) The task force shall develop and submit a written report of the study and recommendations developed by the task force to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature not later than December 1, 2020.

(c) This section expires June 1, 2021.

SECTION 2. The Texas Division of Emergency Management is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the division may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

SECTION 2. Same as Senate version.

SECTION 3. Same as Senate version.

SECTION 3. This Act takes effect September 1, 2019.

SECTION 3. Same as Senate version.

SECTION 4. Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 25, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: SB982 by Kolkhorst (Relating to the provision of disaster and emergency services, including health care services, to certain populations.), **Conference Committee Report**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would require the Texas Division of Emergency Management (TDEM) to implement the provisions of the bill if the legislature appropriates money specifically for that purpose and if the legislature does not appropriate money specifically for that purpose, TDEM would be allowed to use other available appropriations to implement the provisions of the bill.

The bill would require the Department of State Health Services (DSHS) to collaborate with local medical organizations that represent licenses physicians who practice in a county or public health region.

The bill would establish a task force on disaster affecting issues certain persons who are elderly or disabled. The task force would be required to develop and submit a report to the governor, the lieutenant governor, the speaker of the House of Representatives, and each member of the legislature before December 1, 2020.

It is assumed that the provisions of the bill relating to the emergency plan, collaboration with local medical organizations, and the task force could be absorbed using existing resources at TDEM and the DSHS.

The bill would take effect September 1, 2019.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 537 State Health Services, Department
of

LBB Staff: WP, LBO, KK, EP, AMa, AKi, SMi