

SUBJECT: Continuing the Office for the Prevention of Developmental Disabilities

COMMITTEE: Public Health — committee substitute recommended

VOTE: 6 ayes — Gray, Delisi, Glaze, Maxey, McClendon, Uresti

1 nay — Hilderbran

2 absent — Coleman, Capelo

WITNESSES: For — None

Against — None

On — Larry Camp, Texas Office for Prevention of Development Disabilities;
Ilan Levin, Sunset Advisory Commission

BACKGROUND: The Legislature created the Texas Office for the Prevention of Developmental Disabilities (TOP) in 1989 to coordinate state, local, and private agencies involved in prevention activities. Unlike other agencies that provide services to people with disabilities, TOP's purpose is to help minimize losses caused by preventable disabilities. Besides coordinating prevention efforts, TOP strives to raise awareness of the preventability of many disabilities, monitors prevention programs, and promotes innovative programs. The agency focuses on head and spinal-cord injuries resulting from bicycle accidents and Fetal Alcohol Syndrome (FAS).

TOP is governed by a nine-member committee composed of experts in the field of children's health and developmental disabilities. It receives no state funds and since 1991 has been funded through a grant from the federal Centers for Disease Control and Prevention administered by the Texas Department of Health (TDH). Since 1997, it has received federal Title V (Maternal and Child Health Block Grant) funds through a memorandum of understanding (MOU) among TOP, TDH, and the Health and Human Services Commission. The MOU expires in August 1999. TOP's total annual budget is \$119,731.

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TOP is subject to the Texas Sunset Act and will be abolished on September 1, 1999, unless continued by the Legislature.

DIGEST:

CSHB 1151 would continue TOP until September 1, 2005. The bill also would add standard across-the-board sunset recommendations regarding appointments to the executive committee, conflict of interest, removal of committee members, member training, public testimony, standards of conduct, and equal employment opportunity policies.

This bill would take effect September 1, 1999.

**SUPPORTERS
SAY:**

The Sunset Advisory Commission recommended that TOP be continued because the agency has made significant contributions in the areas of bicycle helmet awareness and FAS. In 1994, TOP conducted a research project with the University of Texas School of Nursing to promote bicycle helmet use by children to prevent head and spinal-cord injuries.

TOP has held seminars and trained volunteers to become spokespersons on FAS and has developed fact sheets for public distribution. TOP has worked with the Texas Restaurant Association to develop and distribute reminders to pregnant women to not drink alcohol.

Keeping TOP a free-standing agency would maintain visibility of these issues so that the focus of education and awareness can continue.

**OPPONENTS
SAY:**

The Sunset Advisory Commission staff recommended abolishing TOP and moving its functions to TDH, which is the primary agency for statewide disability prevention efforts. The department's Bureau of Epidemiology has 77 full-time equivalent employees and an annual budget of over \$13 million. The bureau's programs also support injury and disability prevention with programs such as the Injury Prevention and Control Program, the Trauma Registry, Safe Riders, which provides educational materials on traffic safety, including bicycle helmets, and others.

Other TDH programs target high-risk behavior in teens, such as tobacco use. Also, the Bureau of Children's Health promotes prevention of developmental disabilities by counseling pregnant women on nutrition, child development, and injury prevention. The Immunization Division promotes prevention of

developmental disabilities by tracking immunizations and distributing vaccines across the state.

TOP's funding has always been problematic because the office is prohibited from submitting a legislative appropriations request for general revenue. TDH has the resources and expertise to continue prevention activities and should assume these duties. The TOP executive committee could continue to provide input and guidance to TDH but would not have to handle the burden of maintaining a separate, underfunded state agency.

NOTES:

The committee substitute changed the proposed sunset date to September 1, 2005, from September 1, 2007, as proposed in the original bill.

The companion bill, SB 353 by Zaffirini, has been referred to the Senate Human Services Committee.