HOUSE                                                                     SB 670
RESEARCH                                                          Birdwell, et al.
ORGANIZATION bill digest          5/23/2017                         (Price)

SUBJECT:        Requiring the governor to appoint the commissioners of DSHS and DFPS

COMMITTEE:      State Affairs — favorable, without amendment

VOTE:           13 ayes — Cook, Giddings, Craddick, Farrar, Geren, Guillen, K. King, Kuempel, Meyer, Oliveira, Paddie, E. Rodriguez, Smithee

                0 nays

SENATE VOTE:    On final passage, March 29 — 31-0

WITNESSES:      No public hearing

BACKGROUND:     Health and Safety Code, sec. 1001.051 and Human Resources Code, sec. 40.027 require the executive commissioner of the Health and Human Services Commission (HHSC) to appoint a commissioner of the Department of State Health Services (DSHS) and a commissioner of the Department of Family Protective Services (DFPS), respectively.

                Observers have noted that HHSC, DSHS, and DFPS account for roughly one-third of the state budget and that the executive commissioner of HHSC is the only head of these three agencies appointed by the governor and confirmed by the Senate. Some observers have raised the question of whether requiring the other two agencies' commissioners to be appointed in this manner would give Texans a voice, through elected representatives, in the selection of leadership for these agencies.

DIGEST:         SB 670 would require the governor, with the advice and consent of the Senate, to appoint the commissioner of the Department of State Health Services (DSHS) and the commissioner of the Department of Family Protective Services (DFPS). The appointments would have to be made without regard to race, color, disability, sex, religion, age, or national origin.

                The bill also would repeal a provision requiring the executive commissioner to appoint an agency director for each health and human

services agency.

The bill would take effect September 1, 2017, and the governor would be required to make the appointments as soon as possible after that date. A person serving as the commissioner of DSHS or DFPS on the effective date would continue to serve until the appointments were made.