SECTION 2. Section 28.0021(a), Education Code, as amended by Chapters 214 (H.B. 34) and 885 (S.B. 290), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended to read as follows:

(a) The Texas essential knowledge and skills and, as applicable, Section 28.025, shall include instruction in personal financial literacy, including instruction in methods of paying for college and other postsecondary education and training, in:

(1) mathematics instruction in kindergarten through grade eight; and

(2) one or more courses offered [required] for high school graduation.

SECTION 3. Sections 28.0021(b) and (c), Education Code, are amended to read as follows:

(b) Each school district and each open-enrollment charter school that offers a high school program shall provide an elective course [to a student instruction] in personal financial literacy that meets [in any course meeting] the requirements for a one-half elective [an economics] credit under Section 28.025, using materials approved by the State Board of Education. The instruction in personal financial literacy must include instruction on completing the application for federal student aid provided by the United States Department of Education. In fulfilling the requirement to provide financial literacy instruction under this section, a school district or open-enrollment charter school may use an existing state, federal, private, or nonprofit program that provides students without charge the instruction described under this section. [Each district and each open enrollment charter school that offers a high school program shall ensure that a district or charter school student enrolled at an institution of higher education in a dual credit course meeting the requirements for an economics credit under Section 28.025 receives the instruction described under this subsection.]

(c) The State Board of Education shall, not later than January 31, 2012, identify the essential knowledge and skills of personal financial literacy instruction to include instruction in methods of paying for college and other postsecondary education and training and shall, not later than August 31, 2012, approve under Subsection (b) materials that provide for such instruction. Beginning with the 2013–2014 school year, each school district and each open-enrollment charter school that offers a high school program shall include, in the elective course [required instruction] in personal financial literacy, instruction in methods of paying for college and other postsecondary education and training and use materials approved for that purpose under Subsection (b) [and shall ensure that the instruction described under this subsection is provided to a district or charter school student enrolled at an institution of higher education in a dual credit course meeting the requirements for an economics credit]. This subsection expires September 1, 2014.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on May 2, 2013: Yeas 146, Nays 1, 2 present, not voting; passed by the Senate on May 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 1027

H.B. No. 2673

AN ACT

relating to the protection and care of individuals with intellectual and developmental disabilities.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Section 411.1144, Government Code, is amended to read as follows:

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Sec. 411.1144. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: AGENCIES WITH EMPLOYEES, CONTRACTORS, OR VOLUNTEERS AT STATE SUPPORTED LIVING CENTERS.

SECTION 2. Sections 411.1144(a) and (d), Government Code, are amended to read as follows:

(a) The Department of State Health Services, [and] the Department of Aging and Disability Services, and the Health and Human Services Commission are entitled to obtain from the department criminal history record information maintained by the department that relates to a person:

(1) who is:
   (A) an applicant for employment with the agency;
   (B) an employee of the agency;
   (C) a volunteer with the agency; [or]
   (D) an applicant for a volunteer position with the agency;
   (E) an applicant for a contract with the agency; or
   (F) a contractor of the agency; and

(2) who would be placed in direct contact with a resident or client, as defined by Section 555.001, Health and Safety Code [of a state supported living center or the ICF-MR component of the Rio Grande State Center].

(d) Subject to Section 411.087, the Department of State Health Services, [and] the Department of Aging and Disability Services, and the Health and Human Services Commission are entitled to:

(1) obtain through the Federal Bureau of Investigation criminal history record information maintained or indexed by that bureau that pertains to a person described by Subsection (a); and

(2) obtain from any other criminal justice agency in this state criminal history record information maintained by that criminal justice agency that relates to a person described by Subsection (a).

SECTION 3. The heading to Subchapter U, Chapter 531, Government Code, is amended to read as follows:

SUBCHAPTER U. MORTALITY REVIEW FOR CERTAIN INDIVIDUALS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES

SECTION 4. Subchapter U, Chapter 531, Government Code, is amended by adding Section 531.8501 to read as follows:

Sec. 531.8501. DEFINITION. In this subchapter, “contracted organization” means an entity that contracts with the Health and Human Services Commission for the provision of services as described by Section 531.851(c).

SECTION 5. Sections 531.851(a), (c), (d), and (e), Government Code, are amended to read as follows:

(a) The executive commissioner shall establish an independent mortality review system to review the death of a person with an intellectual or [a] developmental disability who, at the time of the person’s death or at any time during the 24-hour period before the person’s death:

(1) resided in or received services from:
   (A) an intermediate care facility for persons with an intellectual or developmental disability (ICF/IID) [mental retardation (ICF-MR)] operated or licensed by the Department of Aging and Disability Services or a community center; or
   (B) the ICF/IID [ICF-MR] component of the Rio Grande State Center; or

(2) received services [residential assistance] through a Section 1915(c) waiver program for [serving] individuals who are eligible for ICF/IID [ICF-MR] services [in a residence in the ICF/IID [ICF-MR] component of the Rio Grande State Center].
which residential assistance is provided to three or more persons and in which the waiver program provider has a property interest.

(c) The executive commissioner shall contract with an institution of higher education or a health care organization or association with experience in conducting research-based mortality studies [a patient safety organization certified in accordance with 42 C.F.R. Part 3, as effective on January 19, 2009,] to conduct independent mortality reviews of persons with an intellectual or developmental disability [required by this subchapter]. The contract must require the contracted [patient safety] organization to form a [conduct an independent mortality] review [using a] team consisting of:

1. a physician with expertise regarding the medical treatment of individuals with intellectual or developmental disabilities [mental retardation];
2. a registered nurse with expertise regarding the medical treatment of individuals with intellectual or developmental disabilities [mental retardation];
3. a clinician or other professional with expertise in the delivery of services and supports for individuals with intellectual or developmental disabilities [mental retardation]; and
4. any other appropriate person as provided by the executive commissioner.

(d) The executive commissioner shall adopt rules regarding the manner in which the death of a person described by Subsection (a) must be reported to the contracted [patient safety] organization by a facility or waiver program provider described by that subsection.

(e) To ensure consistency across mortality review systems, a review under this section must collect information consistent with the information required to be collected by any other independent mortality review process established specifically for persons with intellectual or developmental disabilities [mental retardation].

SECTION 6. Section 531.852, Government Code, is amended to read as follows:

Sec. 531.852. ACCESS TO INFORMATION. (a) A contracted [patient safety] organization may request information and records regarding a deceased person as necessary to carry out the contracted [patient safety] organization's duties. Records and information that may be requested under this section include:

1. medical, dental, and mental health care information; and
2. information and records maintained by any state or local government agency, including:
   (A) a birth certificate;
   (B) law enforcement investigative data;
   (C) medical examiner investigative data;
   (D) juvenile court records;
   (E) parole and probation information and records; and
   (F) adult or child protective services information and records.

(b) On request of the contracted [patient safety] organization, the custodian of the relevant information and records relating to a deceased person shall provide those records to the contracted [patient safety] organization at no charge.

SECTION 7. Section 531.853, Government Code, is amended to read as follows:

Sec. 531.853. MORTALITY REVIEW REPORT. Subject to Section 531.854, a contracted [patient safety] organization shall [to the extent allowed by federal law] submit:

1. to the Department of Aging and Disability Services, the Department of Family and Protective Services, the office of independent ombudsman for state supported living centers, and the commission's office of inspector general a report of the findings of the mortality review; and
2. semiannually to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committees of the senate and house of representatives with primary jurisdiction over the Department of Aging and Disability Services, the Department of Family and Protective Services, the office of independent ombudsman for
state supported living centers, and the commission's office of inspector general a report that contains:

(A) aggregate information regarding the deaths for which the contracted [patient safety] organization performed an independent mortality review;

(B) trends in the causes of death identified by the contracted [patient safety] organization; and

(C) any suggestions for system-wide improvements to address conditions that contributed to deaths reviewed by the contracted [patient safety] organization.

SECTION 8. Section 531.854, Government Code, is amended by amending Subsections (a), (b), and (e) and adding Subsections (f) and (g) to read as follows:

(a) The commission may use or publish information under this subchapter only to advance statewide practices regarding the treatment and care of individuals with intellectual and developmental disabilities. A summary of the data in the contracted [patient safety] organization's reports or a statistical compilation of data reports may be released by the commission for general publication if the summary or statistical compilation does not contain any information that would permit the identification of an individual or that is confidential or privileged under this subchapter or other state or federal law [patient safety work product].

(b) Information and records acquired by the contracted [patient safety] organization in the exercise of its duties under this subchapter are confidential and exempt from disclosure under the open records law, Chapter 552, and may be disclosed only as necessary to carry out the contracted [patient safety] organization's duties.

(e) Reports, information, statements, memoranda, and other information furnished under this subchapter to the contracted organization and any findings or conclusions resulting from a review by the contracted [patient safety] organization are privileged.

(f) A contracted organization's report of the findings of the independent mortality review conducted under this subchapter and any records developed by the contracted organization relating to the review:

(1) are confidential and privileged;

(2) are not subject to discovery or subpoena; and

(3) may not be introduced into evidence in any civil, criminal, or administrative proceeding.

(g) A member of the contracted organization's review team may not testify or be required to testify in a civil, criminal, or administrative proceeding as to observations, factual findings, or conclusions that were made in conducting a review under this subchapter.

SECTION 9. Section 531.855, Government Code, is amended to read as follows:

Sec. 531.855. LIMITATION ON LIABILITY. A health care provider or other person is not civilly or criminally liable for furnishing information to the contracted [patient safety] organization or to the commission for use by the contracted [patient safety] organization in accordance with this subchapter unless the person acted in bad faith or knowingly provided false information to the contracted [patient safety] organization or the commission.

SECTION 10. Section 555.021, Health and Safety Code, is amended to read as follows:

Sec. 555.021. REQUIRED CRIMINAL HISTORY CHECKS FOR EMPLOYEES, CONTRACTORS, AND VOLUNTEERS [OF CENTERS]. (a) The department, [and] the Department of State Health Services, and the Health and Human Services Commission shall perform a state and federal criminal history background check on a person:

(1) who is:

(A) an applicant for employment with the agency;

(B) an employee of the agency;

(C) a volunteer with the agency; [or]

(D) an applicant for a volunteer position with the agency;

(E) an applicant for a contract with the agency; or

(F) a contractor of the agency; and
(2) who would be placed in direct contact with a resident or client.
(b) The department, and the Department of State Health Services, and the Health and Human Services Commission shall require a person described by Subsection (a) to submit fingerprints in a form and of a quality acceptable to the Department of Public Safety and the Federal Bureau of Investigation for use in conducting a criminal history background check.
(c) Each agency shall obtain electronic updates from the Department of Public Safety of arrests and convictions of a person:
(1) for whom the agency performs a background check under Subsection (a); and
(2) who remains an employee, contractor, or volunteer of the agency and continues to have direct contact with a resident or client.

SECTION 11. Section 252.134, Health and Safety Code, is repealed.

SECTION 12. Section 531.851, Government Code, as amended by this Act, does not apply to a contract entered into by the executive commissioner of the Health and Human Services Commission before June 1, 2013. A contract entered into before June 1, 2013, is governed by the law in effect on the date the contract was entered into, and that law is continued in effect for that purpose.

SECTION 13. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on April 25, 2013: Yeas 136, Nays 0, 2 present, not voting; passed by the Senate on May 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 1028

H.B. No. 2676

AN ACT
relating to the confidentiality of certain home address information in ad valorem tax appraisal records.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 25.025(a), Tax Code, as amended by Chapters 348 (H.B. 3307) and 953 (H.B. 1046), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended to read as follows:
(a) This section applies only to:
(1) a current or former peace officer as defined by Article 2.12, Code of Criminal Procedure;
(2) a county jailer as defined by Section 1701.001, Occupations Code;
(3) an employee of the Texas Department of Criminal Justice;
(4) a commissioned security officer as defined by Section 1702.002, Occupations Code;
(5) a victim of family violence as defined by Section 71.004, Family Code, if as a result of the act of family violence against the victim, the actor is convicted of a felony or a Class A misdemeanor;
(6) a federal judge, a state judge, or the spouse of a federal judge or state judge;
(7) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;