

BILL ANALYSIS

Senate Research Center

H.B. 3011
By: Hochberg (Lindsay)
Finance
5/11/1999
Engrossed

DIGEST

Currently, the arrangements for the disbursement of funds to the Harris County Psychiatric Center (center) are not in accordance with the provisions for other operating units within the University of Texas Health Science Center at Houston (center at Houston). Funds are required to be requested by and appropriated to a state agency and then allocated the funding to another non-state agency. This bill would require funding for the state-supported facilities and operations of the center to be provided through legislative appropriations to the center at Houston, rather than to the Texas Department of Mental Health and Mental Retardation and to the University of Texas System.

PURPOSE

As proposed, H.B. 3011 sets forth procedures and guidelines for the funding and operation of the Harris County Psychiatric Center.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 73.401, Education Code, provide that the Harris County Psychiatric Center (center) is a public-owned, publicly operated facility.

SECTION 2. Amends Section 73.404(a), Education Code, to require funding for the center to be provided through the appropriations to the University of Texas Health Science Center, rather than to the Texas Department of Mental Health and Mental Retardation (DMHMR) and to the University of Texas System. Requires a separate line item entry to be made in the General Appropriations Act (GAA) at the University of Texas Health Science Center at Houston (center at Houston) in the annual budget of the center at Houston for the center funding. Prohibits the legislative appropriations for the center from being transferred unless specifically authorized by the legislature. Deletes text regarding appropriations to DMHMR.

SECTION 3. Amends Section 73.405, Education Code, by amending Subsections (c) and (d) and adding Subsections (e), (f), (g), (h), and (i), to require the state-supported facilities of the center to provide patient care, education, and research in accordance with the center's mission and priorities and in a manner that is consistent with the Lease, Sublease, and Operating Agreement. Requires patient care to be provided to certain persons. Provides that admission to the center will be on a 24-hour-a-day, seven-day-a-week basis. Provides that the current relative allocation of state appropriated funds by mission component of patient service, education, and research will remain unchanged unless changed by mutual agreement between the center and DMHMR or specified in the GAA. Provides that the center will continue to be an integral part of the public mental health safety net of Harris County. Provides that the center at Houston and the center will maintain collaborative working relationships with both the state and county designated mental health authorities. Requires a memorandum of understanding (memorandum) to be developed between the center and DMHMR after receipt of input from the Local Area Planning and Advisory Committee (committee) established under Subsection (i). Requires the memorandum to establish mutually agreeable patient service performance targets and scheduled quarterly review. Requires the executed memorandum to be incorporated into the Lease, Sublease, and Operating Agreement. Requires the parties to negotiate any differences with respect to such targets within 30 days after receiving notification of the existence of an unresolved difference. Sets forth procedures for the resolution of differences. Provides that the center will provide material requested by DMHMR and its designee and will authorize the use of

requested materials in the submission of reports or appropriations requests to the legislature. Requires the center at Houston, through the center, to establish a committee. Sets forth requirements regarding terms of office of members of, appointments to, membership criteria for, and the purpose of the committee. Requires the committee to meet, at least quarterly, with the leadership of the center to carry out the center's purpose. Deletes text regarding transfers of appropriated funds as provided in Section 73.404 of this code. Makes a conforming change.

SECTION 4. Sets forth the purpose of Section 73.404(a), Education Code. Prohibits the changes made to Section 73.404(a) from being interpreted as a changing of any statutory obligation or relationship that existed before the effective date of this Act. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.