

BILL ANALYSIS

Senate Research Center
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S.B. 566
By: Moncrief
Health Services
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As Filed

DIGEST

A study of the role of local government in providing public health services was conducted by the Texas Department of Health, the Lyndon Baines Johnson School of Public Affairs of the University of Texas, the Blackland Research Center, and the school of Rural Public Health of the Texas A&M University System. The study found that there was a need to address public health issues at a local level. Public health services are defined as population-based services that are directed toward protecting the health of the general public. S.B. 566 would set forth provisions and requirements for public health services.

PURPOSE

As proposed, S.B. 566 sets forth provisions and requirements for public health services.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Board of Health in SECTION 2 (Section 121.0065(c), Chapter 121A, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 121.002, Health and Safety Code, as follows:

Sec. 121.002. New heading: DEFINITIONS. Defines “essential public health services.” Makes nonconforming changes.

SECTION 2. Amends Chapter 121A, Health and Safety Code, by amending Section 121.006 and adding Sections 121.0065, 121.0066, and 121.0067, as follows:

Sec. 121.006. New heading: PUBLIC HEALTH SERVICES FEES. Prohibits a municipality, county, or public health district from denying essential public health services to an individual because of inability to pay for the service. Makes a conforming change.

Sec. 121.0065. POPULATION-BASED GRANTS FOR ESSENTIAL PUBLIC HEALTH SERVICES. Requires the Texas Department of Health (department) to administer a program under which appropriated funds may be granted to counties and municipalities for use by the counties and municipalities to provide or pay for essential public health services. Requires the department to determine the amount of a grant made under the program based on the ratio that the population to be served bears to the total number of individuals to be served under all grants and by the department under Section 121.0066. Authorizes the Texas Board of Health (board) to adopt rules governing: the manner in which a municipality or county applies for a grant; the procedures for awarding grants; and the minimum essential public health services to be provided under the grant and other standards. Requires a municipality or county that receives a grant under this section, in consultation with the department, to develop a plan to permit the evaluation of effectiveness, accessibility, and quality of the essential public health services that are provided under the grant. Sets forth the information which must be included in the plan. Requires the governing body of the municipality or the commissioners court of the county to appoint or serve as a local health board to monitor the use of money received in order to be eligible to receive a grant under this section. Authorizes a public health board established under Section 121.034 or 121.046 to serve as the local health board required under this subsection. Authorizes the governing body or commissioners court to appoint an advisory body committee to advise the governing body or commissioners court with respect to the use of money granted under this

section if the chosen governing body of the municipality or the commissioners court of the county elects to serve as the local health board. Provides that Chapter 783, Government Code, and standards adopted under that chapter control, if applicable, to a grant made under this section, rather than if the local health unit, local health department, or public health district receives state support for the provision of public health services. Makes a standard recodification change.

Sec. 121.0066. ESSENTIAL PUBLIC HEALTH SERVICES PROVIDED BY DEPARTMENT. Requires the department to provide essential public health services for a population for which a municipality or county is not receiving a grant to provide those services under Section 121.0065 and to develop a plan that complies with Section 121.0065(d) to permit certain evaluations.

Sec. 121.0067. EVALUATION AND REPORT OF DELIVERY OF ESSENTIAL PUBLIC HEALTH SERVICES. Requires the department, in cooperation with municipalities and counties that receive grants under Section 121.0065, to evaluate the effectiveness, accessibility, and quality of essential health services provided under the grant program established by Section 121.0065 and under Section 121.0066 and the adequacy of funding for those services. Requires the department to file a report detailing the results of the evaluation conducted under Subsection (a) with the governor and the presiding officer of each house of the legislature. Authorizes the report to include legislation to improve the effectiveness, accessibility, and quality of essential public health services and appropriate funding for those services. Deletes the definition of “public health services.”

SECTION 3. Amends Section 121.007(c), Health and Safety Code, to authorize the regional director to perform the duties of a health authority, as authorized by the board or commissioner, in a jurisdiction in the region in which the health authority fails to perform duties prescribed by the board under Section 121.024. Requires the regional director to perform the duties of a health authority in a jurisdiction in the region in which there is no health authority. Deletes text regarding a jurisdiction in the region in which there is no health authority.

SECTION 4. Amends Section 121.028, Health and Safety Code, to require a governing body of a municipality or the commissioners court of a county that has not established a local health department or a public health district and that is receiving a grant under Section 121.0065, to appoint a physician as health authority to administer state or local laws relating to public health in the municipality’s or county’s jurisdiction. Authorizes the governing body of a municipality or the commissioners court of a county described by Subsection (a) that is not receiving a grant under Section 121.0065 to appoint a physician as health authority. Authorizes an individual appointed to serve as health authority for a county or municipality to serve as the health authority for one or more other jurisdictions under an interlocal contract made in accordance with Chapter 791, Government Code.

SECTION 5. Amends Section 121.032, Health and Safety Code, to delete existing Subsection (b), regarding the minimum services required to be provided.

SECTION 6. Amends Chapter 121F, Health and Safety Code, by adding Subchapter F, as follows:

SUBCHAPTER F. LOCAL PUBLIC HEALTH CONSORTIUM

Sec. 121.101. DEFINITIONS. Defines “consortium” and “health science facility.”

Sec. 121.102. CONSORTIUM ESTABLISHED. Requires the department to establish a local public health consortium composed of health science facilities.

Sec. 121.103. DUTIES OF CONSORTIUM. Sets forth requirements for the consortium, in consultation with the department and local health units, local health department departments, and public districts. Requires the training curricula described by Subsection (a) (1) to provide training related to providing prevention services in conjunction with the delivery of other public health services.

SECTION 7. (a) Defines “board,” “department,” and “task force.”

(b) Requires the department to establish a public health task force to make recommendations to

the board with respect to improving the competency and capacity of the health care providers providing public health services in this state.

(c) Sets forth the composition of the task force.

(d) Requires the task force to make recommendations to the board not later than June 1, 2001.

(e) Requires the board, not later than December 1, 2000, to submit a written report to the governor, lieutenant governor, and speaker of the house of representatives concerning the recommendations of the task force. Sets forth the required information to be included in the report.

(f) Requires the department to provide administrative support and services to the task force.

(g) Provides that this section expires and the task force is abolished on June 1, 2001.

SECTION 8. Repealer: Section 121.007(d), (Authorizes a regional director to serve as health authority for a city, county, or public health district in the absence or incapacity of the jurisdiction's appointed health authority at the request of certain governing bodies and with the board's concurrence).

Repealer: Section 121.007(e), (Requires the board to adopt procedural rules for requesting and concurring in the service by a regional director as health authority under Subsection (d) and the rules are required to adopt prevention of duplication of authority procedures).

SECTION 9. Emergency clause.

Effective date: upon passage.