

BILL ANALYSIS

Senate Research Center
78R6336 SMJ-D

C.S.S.B. 60
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Health and Human Services
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Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, at least one in ten children and adolescents may suffer from serious emotional disturbance that severely disrupts their lives at home, at school, and in the community. Prevalence estimates for Texas indicate that more than 600,000 children have a mental disorder. However, the Texas Department of Mental Health and Mental Retardation was able to provide services to only a portion of these children, about 38,000, in fiscal year 2001. Over the past fifteen years, Texas has taken steps to create a coordinated response across state agencies to address the needs of children with serious emotional disturbances. C.S.S.B. 60 implements a “system of care” model for coordination between state agencies to enhance the method in which services are provided to children who suffer from emotional disturbances and streamline administrative operations and expenses.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. PROVISION OF SERVICES FOR CERTAIN CHILDREN WITH MULTIAGENCY NEEDS. Amends Chapter 531, Government Code, by adding Subchapter K, as follows:

SUBCHAPTER K. PROVISION OF SERVICES FOR CERTAIN CHILDREN WITH MULTIAGENCY NEEDS

Sec. 531.401. DEFINITIONS. Defines “children with severe emotional disturbances,” “systems of care agency” and “systems of care services.”

Sec. 531.402. EXECUTIVE COUNCIL MEMBERSHIP. (a) Provides that the systems of care executive council (executive council) is composed of 21 members as described by this section.

(b) Provides that the commissioner of health and human services and the commissioner of education serve as ex officio members. Provides that service on the executive council is an additional duty of the positions of those commissioners. Provides that the ex officio members have voting authority.

(c) Requires the commissioner of health and human services to appoint 12 members, each of whom must be the administrative head of a systems of care agency.

(d) Requires the governor to appoint two members, one of whom must be appointed from a list of nominees submitted to the governor by the speaker of the house of representatives (speaker). Authorizes the governor to reject one or more of the nominees on the list. Requires the speaker, if the governor rejects all the nominees on the list, to submit to the governor a new list of different nominees.

(e) Requires the lieutenant governor to appoint one member.

(f) Requires the commissioner of health and human services and the commissioner

of education, acting jointly, to appoint certain members to the executive council.

(g) Provides that the appointed members of the executive council serve two-year terms expiring February 1 of each odd-numbered year.

Sec. 531.403. EXECUTIVE COUNCIL OFFICERS; MEETINGS. (a) Requires the executive council to elect from its members presiding and assistant presiding officers, and other officers the council considers necessary to perform the council's duties. Requires the assistant presiding officer to preside over meetings in the presiding officer's absence.

Sec. 531.404. EXECUTIVE COUNCIL DUTIES. Requires the executive council to perform certain duties.

Sec. 531.405. POLICY TEAM MEMBERSHIP AND OFFICERS; MEETINGS. (a) Provides that the systems of care policy team (policy team) is composed of certain individuals who are appointed by the executive council and serve at the will of the executive council.

(b) Requires each member of the policy team appointed under Subsection (a) (4) (A) to be a member of the family of child with a severe emotional disturbance.

(c) Requires the systems of care policy team to elect from its members presiding and assistant presiding officers, and other officers the policy team considers necessary to perform the policy team's duties. Requires the assistant presiding officer to preside over meetings in the presiding officer's absence.

(d) Requires the system of care policy team to meet at least once in each quarter of the calendar year at the call of the presiding officer.

Sec. 531.406. POLICY TEAM DUTIES. (a) Defines "community resource coordination group."

(b) Requires the policy team to perform certain duties.

(c) Provides that the actions of the systems of care policy team are subject to approval by the systems of care executive council.

Sec. 531.407. MERGER OF TEXAS INTEGRATED FUNDING INITIATIVE. (a) Requires the policy team to develop and implement a plan to merge the duties of the consortium that oversees the Texas Integrated Funding Initiative under Subchapter G, as added by Chapter 446, Acts of the 76th Legislature, Regular Session, 1999, with the duties of the policy team. Requires the plan to ensure that certain conditions are met.

(b) Provides that a reference in another statute to the consortium that oversees the Texas Integrated Funding Initiative under Subchapter G, as added by Chapter 446, Acts of the 76th Legislature, Regular Session, 1999, includes within its meaning the systems of care policy team established under this subchapter.

Sec. 531.408. ADMINISTRATIVE SUPPORT FROM COMMISSION. Requires the Health and Human Services Commission (HHSC) to provide administrative support to the executive council and policy team to assist the executive council and policy team in performing their duties and where otherwise needed to fulfill the requirements of this subchapter.

Sec. 531.409. REIMBURSEMENT FOR EXPENSES. (a) Prohibits an appointed member of the executive council, the policy team, a community team, or a coordination and assessment team from receiving compensation for service on the council or team but provides for reimbursement of travel expenses incurred by the member while conducting the business of the council or team, as provided by the General Appropriations Act.

(b) Authorizes the reimbursement to be paid from certain available funds.

SECTION 2. FUNDING PLAN FOR PROVISION OF MULTIAGENCY SERVICES. (a) Requires the systems of care executive council to develop a funding plan for provision of multiagency services.

(b) Requires the systems of care executive council to report on the plan to the legislature not later than September 1, 2004.

SECTION 3. INITIAL APPOINTEES TO EXECUTIVE COUNCIL. Provides that the initial appointees to the systems of care executive council serve terms expiring February 1, 2005.

SECTION 4. Effective date: September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Amends the relating clause by replacing “persons needing” with “certain children who need.”

SECTION 1. Differs from the original by amending the title of SECTION 1 and the title of Subchapter K. Adds a definition to proposed Section 531.401. Adds new subdivisions to proposed Section 531.404. Changes the text of proposed Section 531.406.

Redesignates proposed Sections 531.416, 531.407, and 531.413 as proposed Sections 531.407, 531.408, and 531.409, respectively.

Deletes proposed Sections 531.408 (Selection of Areas Served by Community Teams), 531.409 (Community Team Membership), 531.410 (Community Team Powers and Duties), 531.411 (Coordination and Assessment Team Membership; Duties), 531.412 (Team Actions Subject to Executive Council Approval), 531.414 (System of Care Trust Fund), and 531.415 (Expansion of Systems of Care Services; Merger of Local Groups).

SECTION 2. Redesignated from original SECTION 4.

SECTION 3. Redesignated from original SECTION 6.

SECTION 4. Redesignated from original SECTION 7.

Deletes original SECTIONS 3 and 5.