

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1646
By: Van de Putte
Health & Human Services
4/30/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The National Governor's Association has identified high-level coordination of services as a best practice for realizing optimal child outcomes and public return on investments. However, in Texas there is no single lead agency or oversight body to coordinate the work of the 10 state agencies and various local entities that provide services and funding specifically to children and youth. This lack of coordination and accountability produces significant challenges to statewide tracking of spending on children's services and increases the possibility of unnecessary duplication of efforts. It also leaves a vacuum in executive-level agency leadership to establish priorities and assess potential gaps in services to the state's children and youth.

For children and families, the lack of coordination leads to inaccessibility of services due to multiple, disconnected programs. The President's New Freedom Commission on Mental Health reported that consumers often feel overwhelmed when they must access and integrate services across disconnected programs, especially for children involved in multiple public systems, such as education, juvenile justice, and mental health.

Across the country, many states have already established cross-agency coordinating bodies to fundamentally change fragmented service delivery to children and youth. These bodies vary in structure from state to state. As of May 2008, 15 states had a Children's Cabinet and nine other states had a high-level council, commission, or collaboration.

C.S.S.B. 1646 amends current law relating to the creation of the Council on Children and Families and the Children's Behavioral Health Council.

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. Amends Subchapter L, Chapter 531, Government Code, by adding Section 531.425, as follows:

Sec. 531.425. CHILDREN'S BEHAVIORAL HEALTH COUNCIL. (a) Establishes the Children's Behavioral Health Council (CBHC) to provide a coordinated, comprehensive, interagency approach to the development and delivery of behavioral health services to children.

(b) Sets forth the composition of CBHC.

(c) Requires the members of CBHC to annually elect one agency representative and one public representative to serve as co-chairs.

(d) Sets forth the required duties of CBHC.

(e) Requires CBHC to meet at least every other month to fulfill CBHC's duties under this subchapter and other law.

(f) Provides that CBHC is administratively attached to the Health and Human Services Commission (HHSC). Requires HHSC, through HHSC's Office of Program Coordination for Children and Youth, to provide administrative support and resources to CBHC as necessary to enable CBHC to perform its duties.

(g) Provides that CBHC is not subject to Chapter 2110 (State Agency Advisory Committees).

SECTION 2. Amends Chapter 531, Government Code, by adding Subchapter T, as follows:

SUBCHAPTER T. COUNCIL ON CHILDREN AND FAMILIES

Sec. 531.801. DEFINITION. Defines "council."

Sec. 531.802. COUNCIL ON CHILDREN AND FAMILIES. (a) Establishes the Council on Children and Families (council) to coordinate the state's health, education, and human services systems to ensure that all children and families have access to needed services; improve coordination and efficiency in state agencies, advisory councils on issues affecting children, and local levels of service; prioritize and mobilize resources for children; and facilitate an integrated approach to providing services for children and youth.

(b) Requires the council to promote a common vision of desired outcomes for children and youth and of family and community supports, promote shared accountability for outcomes for children and youth, and align allocations of resources with policies for children and youth.

(c) Sets forth, subject to Subsection (d), the composition of the council.

(d) Authorizes an individual listed in Subsections (c)(1)-(10) to designate another individual as having authority to act on behalf of the individual at council meetings and with respect to council functions.

(e) Requires the members of the council to annually elect one member to serve as the presiding officer.

(f) Provides that council meetings are held at the call of the presiding officer.

(g) Provides that the council is administratively attached to HHSC but is independent of direction by HHSC or the executive commissioner of HHSC (executive commissioner). Requires HHSC, through HHSC's Office of Program Coordination for Children and Youth, to provide administrative support and resources to the council as necessary to enable the council to perform its duties.

(h) Requires the agencies represented on the council to provide periodic staff support of specialists as needed to the council.

(i) Provides that the council is not subject to Chapter 2110.

Sec. 531.803. DUTIES. (a) Sets forth the required duties of the council.

(b) Authorizes the state agency members of the council, as appropriate, to enter into memoranda of understanding with other agencies to implement any method, process, policy, or recommendation identified or developed under Subsection (a). Requires the council, before a method, process, policy, or recommendation is implemented, to identify the timeline and proposed outcome of implementing the method, process, policy, or recommendation, and benchmarks that may be used to measure the success of the implementation of the method, process, policy, or recommendation; and to assign to the appropriate members of the council responsibility for implementing the method, process, policy or recommendation.

(c) Authorizes the council to collect data necessary to conduct the council's duties or implement the council's recommendations and requires the council to use any reports or information produced by other entities related to children, youth, and families to inform the council.

Sec. 531.804. REPORT BY COUNCIL ON CHILD WELFARE. Requires the council, not later than December 1 of each even-numbered year, to submit a report to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature that contains the requests, plans, and recommendations of the council, including recommendations of any legislation that is needed to further develop and maintain a statewide system of quality health, education, and human services for children and families; and information regarding the implementation by the members of the council of any method, process, policy, or recommendation, including information regarding whether the implementation has proceeded in accordance with the timeline, outcome, and benchmarks identified by the council.

Sec. 531.805. SUNSET PROVISION. Provides that the council is subject to Chapter 325 (Texas Sunset Act) and unless continued in existence as provided by that chapter, the council is abolished and this subchapter expires September 1, 2019.

SECTION 3. (a) Requires the chief administrative officer of each agency listed in Section 531.425(b), Government Code, as added by this Act, to appoint the agency's representative to the CBHC established by that section not later than October 1, 2009.

(b) Requires the executive commissioner to appoint the public members of the CBHC established by Section 531.425, Government Code, as added by this Act, not later than October 1, 2009.

(c) Requires the council established by Section 531.802, Government Code, as added by this Act, to convene its initial meeting not later than October 1, 2009.

SECTION 4. Effective date: upon passage or September 1, 2009.