

## **BILL ANALYSIS**

Senate Research Center  
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H.B. 2312  
By: Coleman, Miles (West)  
Health & Human Services  
5/6/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Sickle cell disease consists of several inherited blood disorders that primarily affect persons of certain ethnic backgrounds. Those affected by the disease often suffer episodes of pain, serious infections, chronic anemia, damage to body organs, and even death. In light of the increased Texas population, there is a greater need for education programs, voluntary testing, counseling, and health and medical reimbursement services for sickle cell disease and sickle trait.

H.B. 2312 seeks to improve the quality of life of those Texans impacted by sickle cell disease by providing for the establishment of a statewide sickle cell disease program and an advisory committee to make recommendations regarding the needs of individuals with sickle cell trait or sickle cell disease and providing for the identification of grants and funding mechanisms for entities that provide certain services relating to sickle cell trait and sickle cell disease education, treatment, and prevention. The program and committee sunset in 2017.

H.B. 2312 amends current law relating to the creation of a sickle cell disease program.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 33.055, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 33, Health and Safety Code, by adding Subchapter D, as follows:

#### **SUBCHAPTER D. SICKLE CELL DISEASE PROGRAM**

Sec. 33.051. DEFINITIONS. Defines, in this subchapter, "commission," "executive commissioner," "health and human services agency," "program," and "sickle cell disease."

Sec. 33.052. DUTIES OF DEPARTMENT. Requires the Texas Department of Health (TDH) to:

- (1) identify efforts related to the expansion and coordination of education, treatment, and continuity of care programs for individuals with sickle cell trait and sickle cell disease;
- (2) assist the advisory committee created under Section 33.053; and
- (3) provide the advisory committee created under Section 33.053 with staff support necessary for the advisory committee to fulfill its duties.

Sec. 33.053. ADVISORY COMMITTEE. (a) Requires the governor to appoint an advisory committee composed of 11 members, including a program administrator. Requires that the members be located in geographically diverse areas of the state and be interested in and knowledgeable about sickle cell trait and sickle cell disease. Requires the governor, in making appointments to the advisory committee, to consider appointing members who are:

- (1) representatives of a community agency;
- (2) state or local officials responsible for public health, social services, or rehabilitation;
- (3) representatives from educational institutions, including schools and universities;
- (4) physicians and other health care providers; and
- (5) persons with, or relatives of persons with, sickle cell trait or sickle cell disease.

(b) Provides that members of the advisory committee serve staggered three-year terms, with the terms of three or four members expiring each year.

(c) Requires the advisory committee to meet at least twice a year.

(d) Requires the advisory committee to conduct a needs assessment and advise TDH and the program administrator regarding the needs of individuals with sickle cell trait and sickle cell disease and make recommendations, including recommendations regarding legislative action, TDH rules, and program administration.

(e) Requires the program administrator to report periodically to the executive commissioner of the Health and Human Services Commission (executive commissioner; HHSC) and annually to the governor regarding the advisory committee's activities and findings.

(f) Provides that a member of the advisory committee is not entitled to compensation but is entitled to reimbursement for travel or other expenses incurred while conducting the business of the advisory committee as provided by the General Appropriations Act.

(g) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the advisory committee.

Sec. 33.054. GRANTS. (a) Requires the program administrator to investigate and identify grants and other funding mechanisms for entities that:

- (1) provide education regarding sickle cell trait and sickle cell disease;
- (2) improve the detection of sickle cell trait and sickle cell disease and the treatment of sickle cell disease;
- (3) coordinate delivery of services for people with sickle cell disease;
- (4) provide access to information regarding genetic testing and counseling;
- (5) bundle technical services related to the prevention and treatment of sickle cell disease; and

(6) provide training for health professionals regarding sickle cell trait and sickle cell disease.

(b) Requires the program administrator to award grants, if possible, to eligible organizations in different regions of this state.

(c) Authorizes TDH to solicit and accept gifts, grants, and donations of money from the federal government, local governments, private corporations, and other persons to be used for the purpose of awarding grants under the program.

Sec. 33.055. RULES. Authorizes the executive commissioner to adopt rules to implement this subchapter.

Sec. 33.056. EXPIRATION. Provides that this subchapter expires September 1, 2017.

SECTION 2. Effective date: upon passage or September 1, 2011.