

BILL ANALYSIS

Senate Research Center

C.S.S.B. 149
By: Nelson et al.
Health & Human Services
2/15/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas voters overwhelmingly approved a constitutional amendment in 2007 to establish the Cancer Prevention and Research Institute of Texas (CPRIT) and authorized the state to issue bonds to fund groundbreaking cancer research and prevention programs and services in Texas.

This bill clarifies and strengthens conflict of interest provisions at CPRIT to ensure that all policies and regulations are strictly adhered to in order to allow CPRIT to focus on its goal of cancer research and prevention.

C.S.S.B. 149 amends current law relating to the Cancer Prevention and Research Institute of Texas.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Cancer Prevention and Research Institute of Texas Oversight Committee (oversight committee) is modified in SECTION 16 (Section 102.251, Health and Safety Code) of this bill.

Rulemaking authority is expressly granted to the oversight committee in SECTION 22 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 102.001, Health and Safety Code, by adding Subdivision (2-a) to define "program integration committee" and amending Subdivision (3) to redefine "research and prevention programs committee."

SECTION 2. Amends Section 102.051, Health and Safety Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Deletes existing text authorizing the Cancer Prevention and Research Institute of Texas (CPRIT) to employ an executive director as determined by the CPRIT Oversight Committee (oversight committee). Makes nonsubstantive changes.

(c) Requires CPRIT to employ a compliance officer, who, under the direction of the chief executive officer, is required to ensure that:

(1) all grant proposals comply with this chapter and with rules adopted under this chapter before the proposals are submitted to the oversight committee for approval;

(2) CPRIT, its employees, and its committee members appointed under this chapter comply with all laws and rules governing the peer review process and conflicts of interest; and

(3) each grant recipient complies with the terms of the grant contract.

SECTION 3. Amends Subchapter B, Chapter 102, Health and Safety Code, by adding Section 102.0511, as follows:

Sec. 102.0511. CHIEF EXECUTIVE OFFICER; OTHER OFFICERS. (a) Requires the oversight committee to hire a chief executive officer. Requires the chief executive officer, under the direction of the oversight committee, to perform the duties required by this chapter or designated by the oversight committee.

(b) Requires the chief executive officer to have a demonstrated ability to lead and develop academic, commercial, and governmental partnerships and coalitions.

(c) Requires the chief executive officer to hire:

(1) one chief scientific officer, who reports directly to the chief executive officer;

(2) one chief operating officer, who reports directly to the chief executive officer;

(3) one development officer, who reports directly to the chief executive officer and assists in collaborative outreach to further cancer research and prevention; and

(4) one chief prevention officer, who reports directly to the chief executive officer.

SECTION 4. Amends Section 102.052(a), Health and Safety Code, to add to certain information required to be included in an annual public report required to be issued by CPRIT outlining CPRIT's activities, grants awarded, grants in progress, research accomplishments, and future program directions, a statement of CPRIT's compliance program activities, including any proposed legislation or other recommendations identified through the activities.

SECTION 5. Amends Subchapter B, Chapter 102, Health and Safety Code, by adding Section 102.0535, as follows:

Sec. 102.0535. RECORD OF GRANT APPLICATIONS. (a) Requires CPRIT to maintain a complete record of each grant application, including a grant application that is reviewed by a research and prevention programs committee or is withdrawn.

(b) Requires CPRIT to ensure that the score assigned to a grant application by a research and prevention programs committee in accordance with rules adopted under Section 102.251(a)(1) is included in the record for the application.

(c) Requires CPRIT to have periodic audits made of any electronic grant management system used to maintain records of grant applications under this section. Requires CPRIT to address in a timely manner each weakness identified in an audit of the system.

SECTION 6. Amends Section 102.056, Health and Safety Code, as follows:

Sec. 102.056. SALARY. (a) Creates this subsection from existing text. Authorizes CPRIT to supplement the salary of the chief executive officer, rather than the executive director, and other senior CPRIT staff members.

(b) Authorizes money received from a nonprofit organization established to provide support to CPRIT to be used only to supplement the salaries of the persons authorized to receive salary supplements under this section.

SECTION 7. Amends Subchapter B, Chapter 102, Health and Safety Code, by adding Sections 102.057 through 102.063, as follows:

Sec. 102.057. PROHIBITED OFFICE LOCATION. Prohibits a CPRIT employee from having an office in a facility owned by an entity receiving or applying to receive money from CPRIT.

Sec. 102.058. CONFLICT OF INTEREST REQUIRING RECUSAL. (a) Requires an oversight committee member, program integration committee member, or CPRIT employee to disclose in writing to the chief executive officer if the member, the employee, or a person who is related to the member or employee within the second degree of affinity or consanguinity has a professional or financial interest in an entity receiving or applying to receive money from CPRIT.

(b) Requires the member or employee described by Subsection (a) to recuse himself or herself from CPRIT's consideration of grant applications from the entity receiving or applying to receive money from CPRIT as provided by Section 102.062(a) or (b), as applicable.

(c) Provides that a person has a professional interest in an entity receiving or applying to receive money from CPRIT if the person:

(1) is a member of the board of directors, the other governing board, or any committee of the entity, or of a foundation or similar organization affiliated with the entity, during the same grant cycle;

(2) serves as an elected or appointed officer of the entity or of a foundation or similar organization affiliated with the entity;

(3) is an employee of or is negotiating future employment with the entity or with a foundation or similar organization affiliated with the entity;

(4) represents the entity or a foundation or similar organization affiliated with the entity;

(5) is a professional associate of a primary member of the entity's research or prevention program team;

(6) is, or within the preceding six years has been, a student, postdoctoral associate, or part of a laboratory research group for a primary member of the entity's research or prevention program team;

(7) is engaged or is actively planning to be engaged in collaboration with a primary member of the entity's research or prevention program team; or

(8) has long-standing scientific differences or disagreements with a primary member of the entity's research or prevention program team, and those differences are known to the professional community and could be perceived as affecting objectivity.

(d) Provides that a person has a financial interest in an entity receiving or applying to receive money from CPRIT if the person:

(1) owns or controls, directly or indirectly, an ownership interest, including sharing in profits, proceeds, or capital gains, in an entity receiving or applying to receive money from the institute or in a foundation or similar organization affiliated with the entity; or

(2) could reasonably foresee that an action taken by a research and prevention programs committee, the institute, the program integration committee, or the oversight committee could result in a financial benefit to the person.

Sec. 102.059. STANDARDS OF CONDUCT. (a) Prohibits an oversight committee member, program integration committee member, or CPRIT employee from:

(1) accepting or soliciting any gift, favor, or service that could reasonably influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct;

(2) accepting employment or engaging in any business or professional activity that would reasonably require or induce the member or employee to disclose confidential information acquired in the member's or employee's official position;

(3) accepting other employment or compensation that could reasonably impair the member's or employee's independent judgment in the performance of official duties;

(4) making personal investments or having a financial interest that could reasonably create a substantial conflict between the member's or employee's private interest and the member's or employee's official duties;

(5) intentionally or knowingly soliciting, accepting, or agreeing to accept any benefit for exercising the member's official powers or performing the member's or employee's official duties in favor of another;

(6) leasing, directly or indirectly, any property, capital equipment, employee, or service to any entity that receives a grant from CPRIT; or

(7) serving on the board of directors of a nonprofit organization established with a grant from CPRIT.

(b) Prohibits an oversight committee member or the member's spouse, notwithstanding Section 102.058, from:

(1) submitting a grant application for funding by CPRIT;

(2) being employed by or participating in the management of an entity receiving money from CPRIT;

(3) owning or controlling, directly or indirectly, a financial interest in an entity receiving money from CPRIT; or

(4) using or receiving a substantial amount of tangible goods, services, or money from CPRIT other than reimbursement authorized for attendance or expenses.

(c) Prohibits an oversight committee member, program integration committee member, CPRIT employee, or individual related to the member or employee within the second degree of affinity or consanguinity from serving on the board of directors or other governing board of a nonprofit organization established to provide support to CPRIT.

(d) Prohibits an employee of a nonprofit organization established with a grant from CPRIT from serving on CPRIT's commercialization review council.

(e) Prohibits CPRIT from participating in a business decision of a nonprofit organization established with a grant from CPRIT.

Sec. 102.060. INVESTIGATION OF CONFLICTS OF INTEREST. (a) Requires an oversight committee member, a program integration committee member, a research and prevention programs committee member, or a CPRIT employee to immediately notify the chief executive officer of a conflict of interest, including a professional or financial interest described by Section 102.058 or 102.156. Requires the chief executive officer, on notification, to notify the presiding officer of the oversight committee and the general counsel, who is required to determine the nature and extent of any conflict.

(b) Requires a grant applicant seeking an investigation regarding whether a prohibited conflict of interest was not reported to file a written request with CPRIT's chief executive officer. Requires the applicant to include in the request all facts regarding the alleged conflict of interest and submit the request not later than the 30th day after the date the chief executive officer presents final funding recommendations for the affected grant cycle to the oversight committee.

(c) Requires CPRIT's general counsel, on notification of an alleged conflict of interest under Subsection (a) or (b), to:

(1) investigate the matter; and

(2) provide to the chief executive officer and presiding officer of the oversight committee an opinion that includes:

(A) a statement of facts;

(B) a determination of whether a conflict of interest or another impropriety or self-dealing exists; and

(C) if the opinion provides that a conflict of interest or another impropriety or self-dealing exists, recommendations for an appropriate course of action.

(d) Requires CPRIT's general counsel, if the conflict of interest, impropriety, or self-dealing involves the presiding officer of the oversight committee, to provide the opinion to the next ranking oversight committee member who is not involved with the conflict of interest, impropriety, or self-dealing.

(e) Requires the chief executive officer, after receiving the opinion and consulting with the presiding officer of the oversight committee, to take action regarding the recusal of the individual from any discussion of or access to information related to the conflict of interest, impropriety, or self-dealing. Requires the presiding officer of the oversight committee, if the alleged conflict of interest, impropriety, or self-dealing is held by, or is an act of, the chief executive officer, to take actions regarding the recusal.

Sec. 102.061. FINAL DETERMINATION OF CONFLICT OF INTEREST. (a) Requires the chief executive officer or, if applicable, the presiding officer of the oversight committee to make a determination regarding the existence of a conflict of interest, impropriety, or self-dealing. Requires that the determination specify any actions to be taken to address the conflict of interest, impropriety, or self-dealing, including:

(1) reconsideration of the application; or

(2) referral of the application to another research and prevention programs committee for review.

(b) Provides that the determination made under Subsection (a) is considered final unless three or more oversight committee members request that the issue be added to the agenda of the oversight committee.

(c) Requires the chief executive officer, or, if applicable, the presiding officer of the oversight committee, to provide written notice of the final determination, including any further actions to be taken, to the grant applicant requesting an investigation.

(d) Provides that unless specifically determined by the chief executive officer, or, if applicable, the presiding officer of the oversight committee, or the oversight committee, the validity of an action taken on a grant application is not affected by the fact that an individual who failed to report a conflict of interest participated in the action.

Sec. 102.062. DISCLOSURE OF CONFLICT OF INTEREST. (a) Requires an oversight committee member or program integration committee member, if the oversight committee member or program integration committee member has a conflict of interest, including a professional or financial interest described by Section 102.058, regarding an application that comes before the member for review or other action, to:

(1) notify the chief executive officer, as provided by Section 102.058, and the presiding officer of the oversight committee, or the next ranking member of the committee if the presiding officer has the conflict of interest;

(2) disclose the conflict of interest in an open meeting of the oversight committee; and

(3) recuse himself or herself from participating in the review, discussion, deliberation, and vote on the application and from accessing information regarding the matter to be decided.

(b) Requires a CPRIT employee, if the CPRIT employee has a conflict of interest, including a professional or financial interest described by Section 102.058, regarding an application that comes before the employee for review or other action, to:

(1) notify the chief executive officer of the conflict of interest; and

(2) recuse himself or herself from participating in the review of the application and be prevented from accessing information regarding the matter to be decided.

(c) Provides that an oversight committee member, program integration committee member, or CPRIT employee who reports a potential conflict of interest or another impropriety or self-dealing of the member or employee and who fully complies with the recommendations of the general counsel and recusal is considered in compliance with the conflict-of-interest provisions of this chapter. Provides that the member or employee is subject to other applicable laws, rules, requirements, and prohibitions.

(d) Provides that an oversight committee member, program integration committee member, or CPRIT employee who intentionally violates this section is subject to removal from further participation in CPRIT's grant review process.

Sec. 102.063. ADDITIONAL DUTIES OF COMPLIANCE OFFICER. (a) Requires the compliance officer to adopt and implement a policy on in-state or out-of-state residency requirements for members of CPRIT's commercialization review council.

(b) Requires the compliance officer to retain documentation relating to:

(1) each grant recipient's financial reports, including the amount of matching funds dedicated to the specific grant proposal;

(2) each grant recipient's progress reports; and

(3) CPRIT reviews of the financial reports and progress reports.

(c) Requires the compliance officer to adopt and implement a system to track the date on which a grant recipient's report is due and is received by CPRIT.

(d) Requires the compliance officer to inquire into and monitor the status of any required report that is not timely submitted to CPRIT by a grant recipient.

(e) Requires the compliance officer to develop and implement a policy on advance payments to grant recipients.

(f) Requires the compliance officer annually to:

(1) verify the amount of matching funds dedicated to the specific grant awarded to a grant recipient; and

(2) review each grant recipient to ensure that the grant recipient is in compliance with the terms and conditions of the grant recipient's contract with CPRIT.

(g) Requires the compliance officer, if the compliance officer determines that a grant recipient has not maintained compliance with the terms and conditions of the grant contract, to recommend a remediation plan to the oversight committee to assist the grant recipient in complying with the contract. Requires the oversight committee to approve or disapprove a remediation plan submitted by the compliance officer. Requires the compliance officer, if a remediation plan is approved, to submit the approved remediation plan to the grant recipient.

SECTION 8. Amends Sections 102.101(b) and (e), Health and Safety Code, as follows:

(b) Provides that the oversight committee is composed of a certain nine, rather than 11, members. Deletes existing text providing that the oversight committee includes the comptroller or the comptroller's designee, and the attorney general or the attorney general's designee. Makes nonsubstantive changes.

(e) Prohibits a person from being a member of the oversight committee if, at the time the person is appointed, the person or the person's spouse owns or controls, directly, or indirectly, an interest in a business entity or other organization receiving money from CPRIT, rather than owns or controls, directly or indirectly, more than a five percent interest in a business entity or other organization receiving money from CPRIT, among certain other prohibited activity.

SECTION 9. Amends Section 102.102(c), Health and Safety Code, to make conforming changes.

SECTION 10. Amends Section 102.103(a), Health and Safety Code, to provide that oversight committee members appointed by the governor, lieutenant governor, and speaker of the house serve at the pleasure of the appointing officer for staggered six-year terms, with the terms of three members expiring on January 31 of each odd-numbered year.

SECTION 11. Amends Section 102.104, Health and Safety Code, as follows:

Sec. 102.104. OFFICERS. (a) Creates this subsection from existing text. Requires the oversight committee to elect, rather than select, a presiding officer and assistant presiding officer from among its members every two years. Authorizes the oversight committee to elect additional officers from among its members.

(b) Prohibits the presiding officer and assistant presiding officer from serving more than two years.

(c) Requires the oversight committee to:

(1) establish and approve duties and responsibilities for officers of the committee; and

(2) develop and implement policies that distinguish the responsibilities of the oversight committee and the committee's officers from the responsibilities of the chief executive officer and the employees of CPRIT.

SECTION 12. Amends Section 102.107, Health and Safety Code, as follows:

Sec. 102.107. POWERS AND DUTIES. Requires the oversight committee to:

(1) hire a chief executive officer, rather than hire an executive director;

(2) annually set priorities as prescribed by the legislature for each grant program and each category of funded research that receives money under this chapter; and

(3) consider the priorities set under Subdivision (2) in awarding grants under this chapter.

SECTION 13. Amends Section 102.151, Health and Safety Code, by amending Subsections (a-1) and (b) and adding Subsection (c), as follows:

(a-1) Requires the oversight committee to establish research and prevention programs committees. Requires the chief executive officer, with approval by simple majority of the members of the oversight committee, to appoint as members of research and prevention programs committees experts, rather than scientific research and prevention programs experts, in the field of cancer research prevention.

(b) Authorizes individuals appointed to research and prevention programs committees to be residents of this state or another state, rather than authorizing individuals appointed to the research and prevention programs committee to be residents of another state.

(c) Requires the chief executive officer, in consultation with the oversight committee, to implement a system to document any change in the amount of honorarium paid to a member of a research and prevention programs committee, including information explaining the basis for changing the amount.

SECTION 14. Amends Section 102.152, Health and Safety Code, to make conforming changes.

SECTION 15. Amends Section 102.156, Health and Safety Code, by amending Subsections (a) and (c) and adding Subsections (d) and (e), as follows:

(a) Requires a member of a research and prevention programs committee, the university advisory committee, or any ad hoc committee appointed under this subchapter to disclose in writing to the chief executive officer if the member has a professional or financial interest in an entity that has a direct interest in a matter that comes before the member's committee, rather than if the member has an interest in a matter that comes before the member's committee or has a substantial financial interest in an entity that has a direct interest in the matter. Makes conforming changes.

(c) Provides that a person has a financial interest in an entity if the person owns or controls, directly or indirectly, an interest in the entity, rather than a person has a substantial financial interest in an entity if the person owns or controls, directly or indirectly, more than a five percent interest in the entity.

(d) Provides that a person has a professional interest in an entity receiving or applying to receive money from CPRIT if the person:

- (1) is a member of the board of directors, the other governing board, or any committee of the entity during the same grant cycle;
- (2) serves as an elected or appointed officer of the entity;
- (3) is an employee of or is negotiating future employment with the entity;
- (4) represents the entity;
- (5) is a professional associate of a primary member of the entity's research or prevention program applicant's team;
- (6) is, or within the preceding six years has been, a student, postdoctoral associate, or part of a laboratory research group for a primary member of the entity's research or prevention program applicant's team;
- (7) is engaged or is actively planning to be engaged in collaboration with a primary member of the entity's research or prevention program applicant's team;
or
- (8) has long-standing scientific differences or disagreements with a primary member of the entity's research or prevention program applicant's team, and those differences are known to the professional community and could be perceived as affecting objectivity.

(e) Prohibits a member of a research and prevention programs committee appointed under this chapter from serving on the board of directors or other governing board of an entity receiving a grant from CPRIT or of a foundation or similar organization affiliated with the entity.

SECTION 16. Amends Section 102.251, Health and Safety Code, by amending Subsection (a) and adding Subsections (c), (d), and (e), as follows:

(a) Requires the oversight committee to issue rules regarding the procedure for awarding grants to an applicant under this chapter. Requires that the rules include the following procedures that:

(1) require a research and prevention programs committee to score, rather than review, grant applications and make recommendations to the program integration committee, established under Section 102.264, and the oversight committee, rather than the executive director, regarding the award of cancer research grants, including a prioritized list that:

(A) ranks the grant applications in the order the committee determines applications should be funded; and

(B) includes information explaining how each grant application on the list meets the research and prevention programs committee's standards for recommendation;

(2) require the program integration committee to submit to the oversight committee a list of grant applications the program integration committee by majority vote approved for recommendation that:

(A) includes documentation on the factors the program integration committee considered in making the grant recommendations;

(B) is substantially based on the list submitted by the research and prevention programs committee under Subdivision (1); and

(C) makes nonsubstantive changes; and

(3) require CPRIT's chief scientific officer and development officer to compare each grant application submitted to CPRIT to a list of donors from any nonprofit organization established to provide support to CPRIT compiled from information made available under Section 102.262(c) before the application is submitted to a research and prevention programs committee for review and again before any grant is awarded to the applicant.

(c) Requires the chief executive officer to submit a written affidavit for each grant application recommendation included on the list submitted to the oversight committee under Subsection (a) (2). Requires that the affidavit contain all relevant information on:

(1) the peer review process for the grant application;

(2) the application's peer review score assigned by the research and prevention programs committee;

(3) the pre-grant due diligence reviews of the application; and

(4) if applicable, the intellectual property reviews of the application.

(d) Prohibits the chief executive officer from discussing a grant applicant recommendation with a member of the oversight committee unless the chief executive officer and the program integration committee have fulfilled the requirements of Subsections (a)(2) and (c), as applicable.

(e) Prohibits CPRIT from awarding a grant to an applicant who has made a gift or grant to CPRIT or a nonprofit organization established to provide support to CPRIT.

SECTION 17. Amends Section 102.252, Health and Safety Code, as follows:

Sec. 102.252. New heading: FUNDING RECOMMENDATIONS. (a) Requires two-thirds of the members of the oversight committee to vote to approve the funding recommendations of the program integration committee, rather than to follow the funding recommendations of the executive director in the order the executive director submits the applications to the oversight committee unless two-thirds of the members of the oversight committee vote to disregard a recommendation.

(b) Authorizes the oversight committee by majority vote to remove a grant application from the funding recommendations submitted to the committee by the program integration committee.

SECTION 18. Amends Sections 102.255 (b), (c), and (d), Health and Safety Code, as follows:

(b) Requires the oversight committee, before awarding a grant under Subchapter E (Cancer Prevention and Research Fund), to enter into a written contract with the grant recipient. Authorizes the contract to specify that:

(1)-(2) Makes nonsubstantive changes; and

(3) if, as a result of an annual review required under Section 102.063, the compliance officer determines the grant recipient has not complied with the terms and conditions of the grant contract and refuses to comply with a remediation plan approved by the oversight committee, the recipient is required to repay the grant money awarded under Subchapter E and any related interest applicable under the contract to this state at the agreed rate and on the agreed terms.

(c) Requires that the contract:

(1) Makes nonsubstantive changes;

(2) require, in accordance with Subsection (d), the grant recipient to dedicate an amount of matching funds equal to one-half of the amount of the grant awarded; and

(3) specify the amount of matching funds to be dedicated under Subdivision (2), the period in which the grant award is required to be spent, the name of the specific project to which matching funds are to be dedicated, and the specific deliverables of the research that is the subject of the grant proposal.

(d) Requires the recipient, before the oversight committee may make for cancer research any grant of any proceeds of the bonds issued under Subchapter E, to have an amount of funds equal to one-half of the grant and dedicate those funds to the specific research that is the subject of the grant request, rather than funds equal to one-half of the grant dedicated to the research that is the subject of the grant request.

SECTION 19. Amends Sections 102.260(b) and (c), Health and Safety Code, to make conforming changes.

SECTION 20. Amends Section 102.262, Health and Safety Code, by adding Subsection (c), as follows:

(c) Requires that the records of CPRIT and of a nonprofit organization established to provide support to CPRIT to, to the extent the records pertain specifically to any gift, grant, or other consideration provided by the organization to CPRIT, an employee of CPRIT, or a member of a committee of CPRIT, be made available to the public. Provides that a record that is available under this subsection is public information subject to Chapter 552 (Public Information), Government Code.

SECTION 21. Amends Subchapter F, Chapter 102, Health and Safety Code, by adding Sections 102.263 and 102.264, as follows:

Sec. 102.263. COMPLIANCE PROGRAM. (a) Defines "compliance program" in this section.

(b) Requires CPRIT to establish a compliance program that operates under the direction of CPRIT's compliance officer. Authorizes CPRIT to establish procedures, such as a telephone hotline, to allow private access to the compliance program office and to preserve the confidentiality of communications and the anonymity of a person making a compliance report or participating in a compliance investigation.

(c) Provides that information that directly or indirectly reveals the identity of an individual who made a report to CPRIT's compliance program office, sought guidance from the office, or participated in an investigation conducted under the compliance program; and information that directly or indirectly reveals the identity of an individual who is alleged to have or may have planned, initiated, or participated in activities that are the subject of a report made to the office if, after completing an investigation, the office determines the report to be unsubstantiated or without merit, is confidential.

(d) Provides that Subsection (c) does not apply to information related to an individual who consents to disclosure of the information.

(e) Provides that information is excepted from disclosure under Chapter 552, Government Code, if it is collected or produced in a compliance program

investigation and releasing the information would interfere with an ongoing compliance investigation.

(f) Authorizes that information made confidential or excepted from public disclosure by this section be made available to the following on request in compliance with applicable law and procedure:

(1) a law enforcement agency or prosecutor;

(2) a governmental agency responsible for investigating the matter that is the subject of a compliance report, including the Texas Workforce Commission civil rights division or the federal Equal Employment Opportunity Commission; or

(3) a committee member or CPRIT employee who is responsible under CPRIT policy for a compliance program investigation or for a review of a compliance program investigation.

(g) Provides that a disclosure under Subsection (f) is not a voluntary disclosure for purposes of Section 552.007 (Voluntary Disclosure of Certain Information When Disclosure Not Required), Government Code.

Sec. 102.264. PROGRAM INTEGRATION COMMITTEE. (a) Requires CPRIT to establish a program integration committee. Provides that the committee is composed of the following six members: the chief executive officer, the chief scientific officer, the development officer, the commissioner of state health services, the chief prevention officer, and the compliance officer.

(b) Provides that the committee has the duties assigned under this chapter.

(c) Requires the chief executive officer to serve as the presiding officer of the program integration committee.

SECTION 22. (a) Requires the oversight committee, as soon as practicable after the effective date of this Act, to adopt the rules necessary to implement the changes in law made by this Act.

(b) Makes application of this Act prospective.

(c) Requires employees, oversight committee members, and members of other committees of CPRIT, not later than January 1, 2014, to comply with the changes in law made by this Act regarding the qualifications of the employees and members.

(d) Requires the oversight committee, not later than December 1, 2013, to employ a compliance officer and a chief executive officer as required by Section 102.051(c), and Section 102.0511, Health and Safety Code, as added by this Act, not later than December 1, 2013.

(e) Requires the oversight committee to establish a compliance program as required by Section 102.263, Health and Safety Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 23. Effective date: upon passage or September 1, 2013.