

By: Nelson  
(Raymond)

S.B. No. 71

Substitute the following for S.B. No. 71:

By: Gonzalez

C.S.S.B. No. 71

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain reports submitted and analyses conducted  
3 regarding health and human services.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subsection (h), Section 264.701, Family Code, is  
6 amended to read as follows:

7 (h) The committee shall:

8 (1) develop and adopt policies and procedures  
9 governing the system each state agency uses to evaluate the  
10 effectiveness of programs to prevent or treat child abuse or  
11 neglect with which the agency contracts;

12 (2) develop and adopt standard definitions of "child  
13 abuse treatment" and "child abuse prevention" to be used in  
14 implementing and administering the evaluation system created under  
15 this subchapter;

16 (3) develop and adopt standard models and guidelines  
17 for prevention and treatment of child abuse to be used in  
18 implementing and administering the evaluation system created under  
19 this subchapter;

20 (4) develop and adopt, in cooperation with each  
21 affected state agency, a schedule for each agency's adoption and  
22 implementation of the committee's evaluation system that considers  
23 each agency's budget cycle;

24 (5) develop and adopt a standard report form and a

1 reporting schedule for the affected agencies; and

2 (6) develop and adopt objective criteria by which the  
3 performance of child abuse programs may be measured after reports  
4 under this subchapter are submitted and evaluated[~~, and~~

5 [~~(7) report annually to the Board of Protective and  
6 Regulatory Services, governor, lieutenant governor, and speaker of  
7 the house of representatives on the results of the committee's  
8 evaluation process~~].

9 SECTION 2. The heading to Section 531.0274, Government  
10 Code, is amended to read as follows:

11 Sec. 531.0274. COORDINATION AND APPROVAL OF CASELOAD  
12 ESTIMATES [~~, REPORT~~].

13 SECTION 3. Subsection (b), Section 531.1235, Government  
14 Code, is amended to read as follows:

15 (b) The advisory board shall prepare a biennial [~~an annual~~]  
16 report with respect to the recommendations of the advisory board  
17 under Subsection (a). The advisory board shall file the report with  
18 the commission, the Department of Aging and Disability Services,  
19 the governor, the lieutenant governor, and the speaker of the house  
20 of representatives not later than December 15 of each even-numbered  
21 year.

22 SECTION 4. Subsection (b), Section 531.124, Government  
23 Code, is amended to read as follows:

24 (b) The advisory board shall biennially [~~annually~~]  
25 and comment on the minimum standards adopted under Section 111.041  
26 and the plan implemented under Subsection (a) and shall include its  
27 conclusions in the report submitted under Section 531.1235.

1 SECTION 5. Subsection (b), Section 11.0045, Health and  
2 Safety Code, is amended to read as follows:

3 (b) The board shall publish the plan not later than  
4 September 1 of each even-numbered year. The board shall at a  
5 minimum:

6 (1) make the plan available on its generally  
7 accessible Internet site; and

8 (2) make printed copies of the plan available on  
9 request to members of the public[~~, and~~

10 [~~(3) send printed copies of the plan to the governor,  
11 the lieutenant governor, the speaker of the house of  
12 representatives, the Legislative Budget Board, and the committees  
13 of the senate and the house of representatives that have oversight  
14 responsibilities regarding the board and the department].~~

15 SECTION 6. The heading to Section 32.017, Health and Safety  
16 Code, is amended to read as follows:

17 Sec. 32.017. RECORDS [~~AND REVIEW~~].

18 SECTION 7. The heading to Section 36.012, Health and Safety  
19 Code, is amended to read as follows:

20 Sec. 36.012. RESEARCH[~~, REPORT TO LEGISLATURE~~].

21 SECTION 8. Subsection (a), Section 83.005, Health and  
22 Safety Code, is amended to read as follows:

23 (a) The identity of a veteran about whom a report has been  
24 made under Section 83.002 [~~or 83.004~~] may not be disclosed unless  
25 the veteran consents to the disclosure.

26 SECTION 9. Section 83.009, Health and Safety Code, is  
27 amended to read as follows:

1           Sec. 83.009. CERTAIN CASES EXCLUDED. Section [~~Sections~~  
2 83.002 does [~~and 83.004 do~~] not apply to veterans treated before  
3 January 1, 1982, for symptoms typical of a person who has been  
4 exposed to a chemical defoliant or herbicide or other causative  
5 agent, including Agent Orange.

6           SECTION 10. Subsection (c), Section 94.001, Health and  
7 Safety Code, is amended to read as follows:

8           (c) The department shall update the state plan developed  
9 under this section biennially [~~and shall, not later than October 1~~  
10 ~~of each even-numbered year, file the state plan with the governor,~~  
11 ~~lieutenant governor, and speaker of the house of representatives~~].

12           SECTION 11. Subsection (h), Section 108.0065, Health and  
13 Safety Code, is amended to read as follows:

14           (h) The commission, using existing funds, may contract with  
15 an entity to comply with the requirements under Subsection  
16 [~~Subsections~~] (e) [~~and (f)~~].

17           SECTION 12. Subsection (g), Section 533.032, Health and  
18 Safety Code, is amended to read as follows:

19           (g) The department shall:

20                   (1) attach the report [~~reports~~] required by Subsection  
21 [~~Subsections~~] (c) [~~and (e)~~] to the department's legislative  
22 appropriations request for each biennium;

23                   (2) at the time the department presents its  
24 legislative appropriations request, present the report [~~reports~~]  
25 to the:

26                           (A) governor;

27                           (B) governor's budget office;

- (C) lieutenant governor;
- (D) speaker of the house of representatives;
- (E) Legislative Budget Board; and
- (F) Health and Human Services Commission; and

(3) update the department's long-range plan biennially and include the report [~~reports~~] in the plan.

SECTION 13. Subsection (a), Section 533.0415, Health and Safety Code, is amended to read as follows:

(a) The department, the Texas Department of Human Services, the Texas Youth Commission, the Texas Juvenile Probation Commission, and the Texas Education Agency by rule shall adopt a joint memorandum of understanding to develop interagency training for the staffs of the agencies involved in the functions of assessment, case planning, case management, and in-home or direct delivery of services to children, youth, and their families. The memorandum must:

(1) outline the responsibility of each agency in coordinating and developing a plan for interagency training on individualized assessment and effective intervention and treatment services for children and dysfunctional families; and

(2) provide for the establishment of an interagency task force to:

(A) develop a training program to include identified competencies, content, and hours for completion of the training with at least 20 hours of training required each year until the program is completed;

(B) design a plan for implementing the program,

1 including regional site selection, frequency of training, and  
2 selection of experienced clinical public and private professionals  
3 or consultants to lead the training; and

4 (C) monitor, evaluate, and revise the training  
5 program, including the development of additional curricula based on  
6 future training needs identified by staff and professionals [~~, and~~

7 [~~(D) submit a report to the governor, lieutenant  
8 governor, and speaker of the house of representatives by October 15  
9 of each even-numbered year].~~

10 SECTION 14. Subsection (d), Section 22.005, Human Resources  
11 Code, is amended to read as follows:

12 (d) With the approval of the comptroller, the department  
13 shall establish an internal accounting system, and the department's  
14 expenditures shall be allocated to the various funds according to  
15 the system. [~~At the end of each fiscal biennium the department  
16 shall report to the comptroller the amount of the unencumbered  
17 balances in each of the department's operating funds that belongs  
18 to the children's assistance fund and the medical assistance fund,  
19 and those unencumbered balances shall be returned to the  
20 appropriate special fund.]~~

21 SECTION 15. Subsection (d), Section 33.002, Human Resources  
22 Code, is amended to read as follows:

23 (d) The department shall continually monitor the expedited  
24 issuance of food stamp benefits to ensure that each region in the  
25 state complies with federal regulations and that those households  
26 eligible for expedited issuance are identified, processed, and  
27 certified within the timeframes prescribed within the federal

1 regulations. [~~As soon as practicable after the end of each fiscal~~  
2 ~~year, the department shall report to the Governor's Office of~~  
3 ~~Budget and Planning, the Legislative Budget Board, the state~~  
4 ~~auditor, and the department's board members regarding its~~  
5 ~~monitoring of expedited issuance and the degree of compliance with~~  
6 ~~federal regulations on a region-by-region basis. The department~~  
7 ~~shall notify members of the legislature and the standing committees~~  
8 ~~of the senate and house of representatives having primary~~  
9 ~~jurisdiction over the department of the filing of the report.]~~

10 SECTION 16. Section 34.006, Human Resources Code, is  
11 amended to read as follows:

12 Sec. 34.006. STUDY. The Texas Workforce Commission, in  
13 collaboration with local workforce development boards and the  
14 appropriate standing committees of the senate and house of  
15 representatives, shall:

16 (1) study methods to improve the delivery of workforce  
17 services to persons residing in minimum service counties, as  
18 defined by the commission; and

19 (2) develop recommendations to improve the delivery of  
20 services described by Subdivision (1) [~~for inclusion in the report~~  
21 ~~required by Section 34.007].~~

22 SECTION 17. Subsection (b), Section 52.001, Human Resources  
23 Code, is amended to read as follows:

24 (b) The [~~Consistent with the provisions of the Memorandum of~~  
25 ~~Understanding on Family Planning Services required by Section~~  
26 ~~22.012, Human Resources Code, the]~~ department shall:

27 (1) set guidelines for keeping statistical

1 information on school age pregnancy and parenthood by agencies,  
2 organizations, and individuals so that the information may be  
3 evaluated and compared;

4 (2) collect information relating to school age  
5 pregnancy as considered necessary by the department, including  
6 information on educational programs provided in the public school  
7 system relating to family life education, abstinence from sex, and  
8 sexually transmitted diseases;

9 (3) serve as a statewide clearinghouse on information  
10 relating to school age pregnancy and education on abstinence from  
11 sex and make it available to the legislature, other state agencies,  
12 and private entities that are involved in preventing school age  
13 pregnancy, addressing the problems caused by school age pregnancy,  
14 or encouraging abstinence from sex;

15 (4) analyze and evaluate the data collected on and  
16 studies relating to school age pregnancy and make the analysis and  
17 information readily available to the legislature, relevant  
18 agencies, and the public; and

19 (5) make recommendations to the relevant state  
20 agencies or the legislature to prevent duplication of services[+  
21 ~~and~~

22 [~~(6) submit a report each regular session to the~~  
23 ~~legislature on the status of school age pregnancy programs in the~~  
24 ~~state and the department's progress in meeting the requirements of~~  
25 ~~this section].~~

26 SECTION 18. Section 131.005, Human Resources Code, is  
27 amended to read as follows:



1           Sec. 131.005. REPORTING AND ACCOUNTING SYSTEM. Each health  
2 and human services agency that provides, purchases, or otherwise  
3 funds transportation services for clients shall:

4           (1) comply with the standardized system of reporting  
5 and accounting established by the office under Section  
6 131.003(a)(3); and

7           (2) make any changes to agency data collection systems  
8 that are necessary to enable the agency to comply with the  
9 standardized system[~~, and~~

10           ~~[(3) not later than August 31 of each year, submit to~~  
11 ~~the office a report relating to transportation services that~~  
12 ~~complies with the standardized system].~~

13           SECTION 19. Section 131.006, Human Resources Code, is  
14 amended to read as follows:

15           Sec. 131.006. IMPLEMENTATION OF STATEWIDE COORDINATION  
16 PLAN. In order to implement the statewide coordination plan  
17 created by the office under Section 131.003(a)(2), the office  
18 shall:

19           (1) review rules, policies, contracts, grants, and  
20 funding mechanisms relating to transportation services of each  
21 health and human services agency that provides, purchases, or  
22 otherwise funds transportation services for clients to determine  
23 whether the rules, policies, contracts, grants, and funding  
24 mechanisms are consistent with the plan; and

25           (2) make recommendations for revisions to rules,  
26 policies, contracts, grants, and funding mechanisms determined  
27 under Subdivision (1) to be inconsistent with the plan[~~, and~~

1           ~~[(3) not later than September 30 of each even-numbered~~  
2 ~~year, submit a report by electronic mail and by hand delivery to the~~  
3 ~~governor, the secretary of state, the Legislative Budget Board, and~~  
4 ~~the commissioner relating to the results of the review conducted by~~  
5 ~~the office under this section].~~

6           SECTION 20. Subsection (c), Section 264.205, Family Code,  
7 is repealed.

8           SECTION 21. The following provisions of the Government Code  
9 are repealed:

- 10           (1) Section 531.0243;
- 11           (2) Subsection (b), Section 531.0273;
- 12           (3) Subsections (c), (d), and (e), Section 531.0274;
- 13           (4) Section 531.029;
- 14           (5) Section 531.0311;
- 15           (6) Subsection (b), Section 531.056;
- 16           (7) Subsection (l), Section 531.070;
- 17           (8) Subsection (f), Section 531.110;
- 18           (9) Section 531.603;
- 19           (10) Section 752.005;
- 20           (11) Section 752.006; and
- 21           (12) Subchapter G, Chapter 531.

22           SECTION 22. The following provisions of the Health and  
23 Safety Code are repealed:

- 24           (1) Subsections (c), (d), and (e), Section 32.017;
- 25           (2) Subsection (b), Section 36.012;
- 26           (3) Subsection (e), Section 62.104;
- 27           (4) Section 83.004;

- 1 (5) Subsections (f) and (g), Section 108.0065;
- 2 (6) Section 121.0067;
- 3 (7) Subsection (i), Section 532.021;
- 4 (8) Subsections (e) and (f), Section 533.032;
- 5 (9) Subsection (e), Section 533.033;
- 6 (10) Section 533.036;
- 7 (11) Subsection (b), Section 533.049;
- 8 (12) Subsection (b), Section 533.050;
- 9 (13) Subsection (d), Section 534.022;
- 10 (14) Subsection (d), Section 571.0065; and
- 11 (15) Section 1001.031.

12 SECTION 23. The following provisions of the Human Resources  
13 Code are repealed:

- 14 (1) Subsection (b), Section 22.025;
- 15 (2) Subsection (c), Section 22.0255;
- 16 (3) Section 31.0034;
- 17 (4) Subsection (d), Section 31.0325;
- 18 (5) Subsection (s), Section 32.021;
- 19 (6) Subsection (d), Section 32.048;
- 20 (7) Subsection (d), Section 32.055;
- 21 (8) Section 32.257;
- 22 (9) Subsection (c), Section 33.0022;
- 23 (10) Section 34.007;
- 24 (11) Subsection (c), Section 52.001;
- 25 (12) Section 117.031; and
- 26 (13) Section 161.031.

27 SECTION 24. The following provisions of the Occupations

1 Code are repealed:

2           (1) Section 505.207; and

3           (2) Section 603.157.

4           SECTION 25. Section 1.23, Chapter 198 (H.B. 2292), Acts of  
5 the 78th Legislature, Regular Session, 2003, is repealed.

6           SECTION 26. This Act takes effect September 1, 2011.