

1-1 By: Nelson S.B. No. 80
 1-2 (In the Senate - Filed November 14, 2016; January 24, 2017,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 March 20, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 20, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 80 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to certain required reports prepared by state agencies and
 1-22 other governmental entities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 51.751(b), Education Code, is amended to
 1-25 read as follows:

1-26 (b) The center shall examine the efficiency of the public
 1-27 school system and the effectiveness of instructional methods and
 1-28 curricular programs and promote the use of successful methods and
 1-29 programs. The center shall monitor and evaluate the implementation
 1-30 of the accountability system under Chapter 39 ~~[and provide annual~~
 1-31 ~~progress reports to the governor, Legislative Budget Board, and~~
 1-32 ~~commissioner of education].~~

1-33 SECTION 2. Section 531.421, Government Code, is amended to
 1-34 read as follows:

1-35 Sec. 531.421. DEFINITIONS. In this subchapter:

1-36 (1) "Children with severe emotional disturbances"
 1-37 includes:

1-38 (A) children who are at risk of incarceration or
 1-39 placement in a residential mental health facility;

1-40 (B) children for whom a court may appoint the
 1-41 Department of Family and Protective Services as managing
 1-42 conservator;

1-43 (C) children who are students in a special
 1-44 education program under Subchapter A, Chapter 29, Education Code;
 1-45 and

1-46 (D) children who have a substance abuse disorder
 1-47 or a developmental disability.

1-48 (2) "Community resource coordination group" means a
 1-49 coordination group established under a memorandum of understanding
 1-50 adopted under Section 531.055.

1-51 (3) ~~["Consortium" means the Texas System of Care~~
 1-52 ~~Consortium established under Subchapter C-1.~~

1-53 ~~[-(4)]~~ "Systems of care services" means a comprehensive
 1-54 state system of mental health services and other necessary and
 1-55 related services that is organized as a coordinated network to meet
 1-56 the multiple and changing needs of children with severe emotional
 1-57 disturbances and their families.

1-58 SECTION 3. Section 531.422(c), Government Code, is amended
 1-59 to read as follows:

1-60 (c) Each community resource coordination group shall submit

2-1 the report described by Subsection (b) to the commission
2-2 [~~consortium~~]. The commission [~~consortium~~] shall provide a deadline
2-3 to each group for submitting the reports. The time frame for
2-4 completing the reports must be coordinated with any regional
2-5 reviews by the commission of the delivery of related services.

2-6 SECTION 4. Section 531.423, Government Code, is amended to
2-7 read as follows:

2-8 Sec. 531.423. SUMMARY REPORT BY COMMISSION [~~CONSORTIUM~~].

2-9 (a) The commission [~~consortium~~] shall create a summary report
2-10 based on the evaluations in the reports submitted to the commission
2-11 [~~consortium~~] by community resource coordination groups under
2-12 Section 531.422. The commission's [~~consortium's~~] report must
2-13 include recommendations for policy and statutory changes at each
2-14 agency that is involved in the provision of systems of care services
2-15 and the outcome expected from implementing each recommendation.

2-16 (b) The commission [~~consortium~~] shall coordinate, where
2-17 appropriate, the recommendations in the report created under this
2-18 section with recommendations in the assessment developed under S.B.
2-19 No. 491, Acts of the 78th Legislature, Regular Session, 2003, and
2-20 with the continuum of care developed under S.B. No. 490, Acts of the
2-21 78th Legislature, Regular Session, 2003.

2-22 (c) The commission [~~consortium~~] may include in the report
2-23 created under this section recommendations for the statewide
2-24 expansion of sites participating in the Texas System of Care
2-25 Framework and the integration of services provided at those sites
2-26 with services provided by community resource coordination groups.

2-27 (d) The commission [~~consortium~~] shall provide a copy of the
2-28 report created under this section to each agency for which the
2-29 report makes a recommendation and to other agencies as appropriate.

2-30 SECTION 5. Section 2056.002(d), Government Code, is amended
2-31 to read as follows:

2-32 (d) A state agency shall send two copies of each plan to both
2-33 the Legislative Reference Library and the state publications
2-34 clearinghouse of the Texas State Library and one copy each to:

- 2-35 (1) the governor;
- 2-36 (2) the lieutenant governor;
- 2-37 (3) the speaker of the house of representatives;
- 2-38 (4) the Legislative Budget Board;
- 2-39 (5) ~~[the Sunset Advisory Commission];~~
- 2-40 ~~[(6)]~~ the state auditor; and
- 2-41 (6) ~~[(7)]~~ the Department of Information Resources.

2-42 SECTION 6. Section 2102.009, Government Code, is amended to
2-43 read as follows:

2-44 Sec. 2102.009. ANNUAL REPORT. The internal auditor shall
2-45 prepare an annual report and submit the report before November 1 of
2-46 each year to the governor, the Legislative Budget Board, ~~[the~~
2-47 ~~Sunset Advisory Commission],~~ the state auditor, the state agency's
2-48 governing board, and the administrator. The state auditor shall
2-49 prescribe the form and content of the report, subject to the
2-50 approval of the legislative audit committee.

2-51 SECTION 7. Section 2102.0091(a), Government Code, is
2-52 amended to read as follows:

2-53 (a) A state agency shall file with the division of the
2-54 governor's office responsible for budget and policy [~~Sunset~~
2-55 ~~Advisory Commission, the Governor's Office of Budget, Planning, and~~
2-56 ~~Policy]~~, the state auditor, and the Legislative Budget Board a copy
2-57 of each report submitted to the state agency's governing board or
2-58 the administrator of the state agency if the state agency does not
2-59 have a governing board by the agency's internal auditor.

2-60 SECTION 8. Section 2306.908, Government Code, is amended to
2-61 read as follows:

2-62 Sec. 2306.908. REPORT. The council shall submit annually a
2-63 progress report to the governing bodies of the agencies represented
2-64 on the council, other than the governing body of the Department of
2-65 Aging and Disability Services or its successor agency.

2-66 SECTION 9. The heading to Subchapter E, Chapter 386, Health
2-67 and Safety Code, is amended to read as follows:

2-68 SUBCHAPTER E. EVALUATION OF UTILITY COMMISSION [~~AND COMPTROLLER~~]
2-69 ENERGY EFFICIENCY PROGRAMS

3-1 SECTION 10. Section 386.205, Health and Safety Code, is
 3-2 amended to read as follows:

3-3 Sec. 386.205. EVALUATION OF UTILITY COMMISSION [~~AND~~
 3-4 ~~COMPTROLLER~~] ENERGY EFFICIENCY PROGRAMS. In cooperation with the
 3-5 laboratory, the utility commission shall provide an annual report
 3-6 to the commission that, by county, quantifies the reductions of
 3-7 energy demand, peak loads, and associated emissions of air
 3-8 contaminants achieved [~~from programs implemented by the state~~
 3-9 ~~energy conservation office and~~] from programs implemented under
 3-10 Section 39.905, Utilities Code.

3-11 SECTION 11. Section 114.008(a), Human Resources Code, is
 3-12 amended to read as follows:

3-13 (a) Not later than November 1 of each even-numbered year,
 3-14 the council shall:

3-15 (1) prepare a report summarizing requirements the
 3-16 council identifies and recommendations for providing additional or
 3-17 improved services to persons with autism or other pervasive
 3-18 developmental disorders; and

3-19 (2) deliver the report to [~~the executive~~
 3-20 ~~commissioner,~~] the governor, the lieutenant governor, and the
 3-21 speaker of the house of representatives.

3-22 SECTION 12. Section 13.063(b), Utilities Code, is amended
 3-23 to read as follows:

3-24 (b) The office shall prepare annually a report on the
 3-25 office's activities during the preceding year and submit the report
 3-26 to the standing legislative committees that have jurisdiction over
 3-27 the office, the house appropriations committee, and the senate
 3-28 finance committee [~~, and the Sunset Advisory Commission~~]. At a
 3-29 minimum, the report must include:

3-30 (1) a list of the types of activities conducted by the
 3-31 office and the time spent by the office on each activity;

3-32 (2) the number of hours billed by the office for
 3-33 representing residential or small commercial consumers in
 3-34 proceedings;

3-35 (3) the number of staff positions and the type of work
 3-36 performed by each position; and

3-37 (4) the office's rate of success in representing
 3-38 residential or small commercial consumers in appealing commission
 3-39 decisions.

3-40 SECTION 13. Section 13, Chapter 1282 (H.B. 2), Acts of the
 3-41 84th Legislature, Regular Session, 2015, is amended to read as
 3-42 follows:

3-43 Sec. 13. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID
 3-44 HEALTH INSURANCE PROVIDERS FEE AND ASSOCIATED FEDERAL INCOME TAX.
 3-45 In addition to amounts previously appropriated for the state fiscal
 3-46 biennium ending August 31, 2015, \$79,685,024 is appropriated out of
 3-47 the general revenue fund, and \$113,570,204 is appropriated out of
 3-48 federal funds, to the Health and Human Services Commission for Goal
 3-49 B, Medicaid, as listed in Chapter 1411 (S.B. 1), Acts of the 83rd
 3-50 Legislature, Regular Session, 2013 (the General Appropriations
 3-51 Act), for the state fiscal year ending August 31, 2015, for the
 3-52 purpose of adjusting Medicaid capitation payments made to managed
 3-53 care organizations providing health care services through managed
 3-54 care plans under the Medicaid program to account for the health
 3-55 insurance providers fee imposed under Section 9010 of the federal
 3-56 Patient Protection and Affordable Care Act (Pub. L. No. 111-148),
 3-57 as amended by the Health Care and Education Reconciliation Act of
 3-58 2010 (Pub. L. No. 111-152), and the associated effects of that fee
 3-59 on federal income taxes. [~~Before the Health and Human Services~~
 3-60 ~~Commission makes any capitation payments to managed care~~
 3-61 ~~organizations that are adjusted using money appropriated under this~~
 3-62 ~~section, the executive commissioner of the commission shall submit~~
 3-63 ~~a report to the Legislative Budget Board that specifies:~~

3-64 [(1) the methodology and bases used to determine the
 3-65 amount of the capitation payment adjustments;

3-66 [(2) the amounts by which capitation payments are
 3-67 adjusted using money appropriated under this section; and

3-68 [(3) whether any managed care organization that is a
 3-69 recipient of a capitation payment adjustment paid using money

4-1 ~~appropriated under this section was also a recipient of one or more~~
4-2 ~~other Medicaid capitation payment adjustments paid during the state~~
4-3 ~~fiscal biennium ending August 31, 2013, or August 31, 2015, and the~~
4-4 ~~aggregate cost to this state of the other Medicaid capitation~~
4-5 ~~payment adjustments paid during those bienniums.]~~

4-6 SECTION 14. The following provisions are repealed:

- 4-7 (1) Section 61.506(g), Education Code;
- 4-8 (2) Sections 402.032(g) and 2206.101(d), Government
- 4-9 Code;
- 4-10 (3) Section 361.0215(d), Health and Safety Code;
- 4-11 (4) Section 22.0252(b), Human Resources Code; and
- 4-12 (5) Section 26.3574(x), Water Code.

4-13 SECTION 15. This Act takes effect September 1, 2017.

4-14 * * * * *