

By: Hinojosa

S.B. No. 2013

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a study on administrative penalties assessed against a
3 substance use disorder service provider and to requiring the Health
4 and Human Services Commission to provide administrative penalty
5 schedules on the commission's Internet website.

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

7 SECTION 1. (a) In this Act:

8 (1) "Commission" means the Health and Human Services
9 Commission.

10 (2) "Substance use disorder service provider" means a
11 person licensed or regulated under Chapter 464, Health and Safety
12 Code.

13 (b) The commission shall conduct a study to evaluate certain
14 administrative penalties assessed by the commission against
15 substance use disorder service providers.

16 (c) In conducting the study, the commission shall evaluate:

17 (1) the effect of administrative penalties assessed
18 against substance use disorder service providers on or before the
19 repeal of 25 T.A.C. Sections 442.101, 442.102, 442.103, and 442.104
20 on March 1, 2020;

21 (2) the impact on substance use disorder service
22 providers since March 1, 2020, of administrative penalties assessed
23 against providers under the provisions listed in Subdivision (1) of
24 this subsection;

1 (3) the economic impact on substance use disorder
2 service providers of the change in the administrative penalty
3 schedule since March 1, 2020;

4 (4) the effect of the changes described by
5 Subdivisions (1), (2), and (3) of this subsection on the ability of
6 a substance use disorder service provider to provide services in
7 this state; and

8 (5) whether the administrative penalty schedule
9 relating to substance use disorder service providers adopted after
10 March 1, 2020, is appropriate.

11 (d) Not later than January 1, 2022, the commission shall
12 prepare and submit to the legislature a written report containing
13 the results of the study and any recommendations for legislative or
14 other action.

15 (e) This section expires September 1, 2023.

16 SECTION 2. Section [464.019](#), Health and Safety Code, is
17 amended by adding Subsection (s) to read as follows:

18 (s) The commission shall post on the commission's Internet
19 website current administrative penalty schedules applicable to a
20 person licensed or regulated under this chapter. The commission
21 shall ensure that the administrative penalties listed in the posted
22 schedules are accurate.

23 SECTION 3. This Act takes effect September 1, 2021.