

1-1 By: Hinojosa S.B. No. 2013  
1-2 (In the Senate - Filed March 12, 2021; April 1, 2021, read  
1-3 first time and referred to Committee on Health & Human Services;  
1-4 April 26, 2021, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; April 26, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to a study on administrative penalties assessed against a  
1-20 substance use disorder service provider and to requiring the Health  
1-21 and Human Services Commission to provide administrative penalty  
1-22 schedules on the commission's Internet website.

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

1-24 SECTION 1. (a) In this Act:

1-25 (1) "Commission" means the Health and Human Services  
1-26 Commission.

1-27 (2) "Substance use disorder service provider" means a  
1-28 person licensed or regulated under Chapter 464, Health and Safety  
1-29 Code.

1-30 (b) The commission shall conduct a study to evaluate certain  
1-31 administrative penalties assessed by the commission against  
1-32 substance use disorder service providers.

1-33 (c) In conducting the study, the commission shall evaluate:

1-34 (1) the effect of administrative penalties assessed  
1-35 against substance use disorder service providers on or before the  
1-36 repeal of 25 T.A.C. Sections 442.101, 442.102, 442.103, and 442.104  
1-37 on March 1, 2020;

1-38 (2) the impact on substance use disorder service  
1-39 providers since March 1, 2020, of administrative penalties assessed  
1-40 against providers under the provisions listed in Subdivision (1) of  
1-41 this subsection;

1-42 (3) the economic impact on substance use disorder  
1-43 service providers of the change in the administrative penalty  
1-44 schedule since March 1, 2020;

1-45 (4) the effect of the changes described by  
1-46 Subdivisions (1), (2), and (3) of this subsection on the ability of  
1-47 a substance use disorder service provider to provide services in  
1-48 this state; and

1-49 (5) whether the administrative penalty schedule  
1-50 relating to substance use disorder service providers adopted after  
1-51 March 1, 2020, is appropriate.

1-52 (d) Not later than January 1, 2022, the commission shall  
1-53 prepare and submit to the legislature a written report containing  
1-54 the results of the study and any recommendations for legislative or  
1-55 other action.

1-56 (e) This section expires September 1, 2023.

1-57 SECTION 2. Section 464.019, Health and Safety Code, is  
1-58 amended by adding Subsection (s) to read as follows:

1-59 (s) The commission shall post on the commission's Internet  
1-60 website current administrative penalty schedules applicable to a  
1-61 person licensed or regulated under this chapter. The commission

2-1 shall ensure that the administrative penalties listed in the posted  
2-2 schedules are accurate.

2-3 SECTION 3. This Act takes effect September 1, 2021.

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