

Amend CSHB 2292 (Senate committee printing) as follows:

(1) In SECTION 1.03 of the bill, strike amended Section 531.0055(e), Government Code (page 3, lines 26-45), and substitute the following:

(e) Notwithstanding any other law, the executive commissioner, as necessary to perform the functions described by Subsections (b), (c), and (d) in implementation of the policies established for a health and human services agency by the agency director [~~each agency's policymaking body~~], shall:

(1) manage and direct the operations of each health and human services agency; [~~and~~]

(2) supervise and direct the activities of each agency director; and

(3) be responsible for the administrative supervision of the internal audit program for all health and human services agencies, including:

(A) selecting the director of internal audit;

(B) ensuring that the director of internal audit reports directly to the executive commissioner; and

(C) ensuring the independence of the internal audit function.

(2) In SECTION 1.03 of the bill, strike amended Section 531.0055(1), Government Code (page 4, lines 33-43), and substitute the following:

(1) Notwithstanding any other provision of this section, an agency director [~~a policymaking body~~] has the authority provided by law to adopt policies and rules governing the delivery of services to persons who are served by the agency and the rights and duties of persons who are served or regulated by the agency. The executive commissioner and each agency director [~~policymaking body~~] shall enter into a memorandum of understanding that clearly defines:

(1) the policymaking authority of the agency director [~~policymaking body~~]; and

(2) the operational authority of the executive commissioner.

(3) Immediately following SECTION 1.04 of the bill (page 5, between lines 13 and 14), insert the following:

SECTION 1.04A. Section 531.0057(a), Government Code, is amended to read as follows:

(a) Notwithstanding any other law, a health and human services agency must notify the executive commissioner before implementing [~~proposing~~] a rule adopted by the commissioner of that agency. A rule a health and human services agency attempts to implement [~~adopted~~] in violation of this section is void.

(4) In SECTION 1.06 of the bill, in proposed Section 531.0161(a)(1), Government Code (page 5, line 61), strike "commission rules" and substitute "rules for the commission and each agency".

(5) In SECTION 1.07 of the bill, in proposed Section 531.0224(2), Government Code (page 6, lines 46-48), strike "in consultation with the policy councils of the agencies that operate the program,".

(6) Immediately following SECTION 1.07 of the bill (page 6, between lines 52 and 53), insert the following:

SECTION 1.07A. Section 531.034, Government Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) The executive commissioner [~~commissioner~~] shall review all [~~proposed~~] rules adopted by a [~~of~~] health and human services agency [~~agencies~~] and shall notify the [~~an~~] agency before a rule takes effect [~~within the designated review period for a proposed rule~~] if the executive commissioner [~~commissioner~~] requires repeal [~~withdrawal~~] or amendment of the [~~proposed~~] rule. On notification by the executive commissioner [~~commissioner~~], the agency shall repeal the rule and, if applicable, [~~either withdraw or~~] amend the rule and adopt [~~resubmit~~] the amended [~~proposed~~] rule. A health and human services agency may not implement a rule adopted by the agency until the executive commissioner reviews and approves the rule.

(e) The executive commissioner shall report to the governor and the legislature each rule adopted by a health and human services agency that is reviewed and approved by the executive commissioner.

(7) In SECTION 1.09 of the bill, in proposed Section 1001.021(a), Health and Safety Code (page 8, line 46), strike "executive".

(8) In SECTION 1.09 of the bill, in proposed Section 1001.021(c), Health and Safety Code (page 8, line 55), between "executive commissioner" and "regarding", insert "and the commissioner".

(9) In SECTION 1.09 of the bill, in proposed Section 1001.023(b)(4), Health and Safety Code (page 9, line 22), between "department" and the underlined comma, insert "and the rules of the commissioner".

(10) In SECTION 1.09 of the bill, in proposed Section 1001.028(a), Health and Safety Code (page 9, line 60), strike "executive".

(11) In SECTION 1.09 of the bill, in proposed Section 1001.028(b), Health and Safety Code (page 9, line 66), strike "executive".

(12) In SECTION 1.09 of the bill, in proposed Section 1001.029(a), Health and Safety Code (page 10, line 2), strike "executive".

(13) In SECTION 1.09 of the bill, in proposed Section 1001.029(a), Health and Safety Code (page 10, line 4), strike "commission or the executive".

(14) In SECTION 1.09 of the bill, in proposed Section 1001.029(b), Health and Safety Code (page 10, line 6), strike "executive".

(15) In SECTION 1.09 of the bill, in proposed Section 1001.029(b), Health and Safety Code (page 10, line 8), strike "executive".

(16) In SECTION 1.09 of the bill, in proposed Section 1001.029(c), Health and Safety Code (page 10, line 13), strike "executive".

(17) In SECTION 1.09 of the bill, strike proposed Section 1001.030, Health and Safety Code (page 10, lines 15-21), and substitute the following:

Sec. 1001.030. POLICYMAKING AND MANAGEMENT RESPONSIBILITIES. The commissioner, with the advice of the council, shall develop and the department shall implement policies that clearly delineate the policymaking responsibilities of the commissioner from the management responsibilities of the

department and the staff of the department.

(18) In SECTION 1.09 of the bill, in proposed Section 1001.052(d), Health and Safety Code (page 10, line 56), strike "executive".

(19) In SECTION 1.09 of the bill, in proposed Section 1001.075, Health and Safety Code (page 12, line 61), strike "executive".

(20) In SECTION 1.11 of the bill, in amended Section 40.002(e), Human Resources Code (page 13, line 47), strike "executive".

(21) In SECTION 1.12 of the bill, in amended Section 40.004(a), Human Resources Code (page 13, line 56), strike "executive".

(22) In SECTION 1.12 of the bill, in amended Section 40.004(a), Human Resources Code (page 13, line 58), strike "commission or executive".

(23) In SECTION 1.12 of the bill, in amended Section 40.004(b), Human Resources Code (page 13, line 60), strike "executive".

(24) In SECTION 1.12 of the bill, in proposed Section 40.004(c), Human Resources Code (page 13, line 65), strike "executive".

(25) In SECTION 1.12 of the bill, in proposed Section 40.004(c), Human Resources Code (page 13, line 67), strike "executive".

(26) In SECTION 1.12 of the bill, in proposed Section 40.004(d), Human Resources Code (page 14, line 3), strike "executive".

(27) In SECTION 1.12 of the bill, in amended Section 40.021(a), Human Resources Code (page 14, line 7), strike "executive".

(28) In SECTION 1.12 of the bill, in amended Section 40.021(c), Human Resources Code (page 14, line 22), between "executive commissioner" and "regarding", insert "and the commissioner".

(29) In SECTION 1.12 of the bill, in amended Section 40.0226(b)(4), Human Resources Code (page 15, line 15), between

"department" and the comma, insert "and the rules of the commissioner".

(30) In SECTION 1.13 of the bill, in proposed Section 117.021(a), Human Resources Code (page 16, line 31), strike "executive".

(31) In SECTION 1.13 of the bill, in proposed Section 117.021(c), Human Resources Code (page 16, line 41), between "executive commissioner" and "regarding", insert "and the commissioner".

(32) In SECTION 1.13 of the bill, in proposed Section 117.023(b)(4), Human Resources Code (page 17, line 8), between "department" and the underlined comma, insert "and the rules of the commissioner".

(33) In SECTION 1.13 of the bill, in proposed Section 117.028(a), Human Resources Code (page 17, line 46), strike "executive".

(34) In SECTION 1.13 of the bill, in proposed Section 117.028(b), Human Resources Code (page 17, line 52), strike "executive".

(35) In SECTION 1.13 of the bill, in proposed Section 117.029(a), Human Resources Code (page 17, line 57), strike "executive".

(36) In SECTION 1.13 of the bill, in proposed Section 117.029(a), Human Resources Code (page 17, line 59), strike "commission or the executive".

(37) In SECTION 1.13 of the bill, in proposed Section 117.029(b), Human Resources Code (page 17, line 61), strike "executive".

(38) In SECTION 1.13 of the bill, in proposed Section 117.029(b), Human Resources Code (page 17, line 63), strike "executive".

(39) In SECTION 1.13 of the bill, in proposed Section 117.029(c), Human Resources Code (page 17, line 68), strike "executive".

(40) In SECTION 1.13 of the bill, strike proposed Section 117.030, Human Resources Code (page 18, lines 1-7), and substitute the following:

RESPONSIBILITIES. The commissioner, with the advice of the council, shall develop and the department shall implement policies that clearly delineate the policymaking responsibilities of the commissioner from the management responsibilities of the department and the staff of the department.

(41) In SECTION 1.13 of the bill, in proposed Section 117.052(d), Human Resources Code (page 18, line 42), strike "executive".

(42) In SECTION 1.13 of the bill, in proposed Section 117.073, Human Resources Code (page 19, line 54), strike "executive".

(43) In SECTION 1.13A of the bill, in proposed Section 161.021(a), Human Resources Code (page 20, line 16), strike "executive".

(44) In SECTION 1.13A of the bill, in proposed Section 161.021(c), Human Resources Code (page 20, line 25), between "executive commissioner" and "regarding", insert "and the commissioner".

(45) In SECTION 1.13A of the bill, in proposed Section 161.023(b)(4), Human Resources Code (page 20, line 61), between "department" and the underlined comma, insert "and the rules of the commissioner".

(46) In SECTION 1.13A of the bill, in proposed Section 161.028(a), Human Resources Code (page 21, line 30), strike "executive".

(47) In SECTION 1.13A of the bill, in proposed Section 161.028(b), Human Resources Code (page 21, line 36), strike "executive".

(48) In SECTION 1.13A of the bill, in proposed Section 161.029(a), Human Resources Code (page 21, line 41), strike "executive".

(49) In SECTION 1.13A of the bill, in proposed Section 161.029(a), Human Resources Code (page 21, line 43), strike "commission or the executive".

(50) In SECTION 1.13A of the bill, in proposed Section 161.029(b), Human Resources Code (page 21, line 45), strike

"executive".

(51) In SECTION 1.13A of the bill, in proposed Section 161.029(b), Human Resources Code (page 21, line 47), strike "executive".

(52) In SECTION 1.13A of the bill, in proposed Section 161.029(c), Human Resources Code (page 21, line 52), strike "executive".

(53) In SECTION 1.13A of the bill, strike proposed Section 161.030, Human Resources Code (page 21, lines 54-60), and substitute the following:

Sec. 161.030. POLICYMAKING AND MANAGEMENT RESPONSIBILITIES.  
The commissioner, with the advice of the council, shall develop and the department shall implement policies that clearly delineate the policymaking responsibilities of the commissioner from the management responsibilities of the department and the staff of the department.

(54) In SECTION 1.13A of the bill, in proposed Section 161.052(d), Human Resources Code (page 22, line 26), strike "executive".

(55) In SECTION 1.13A of the bill, in proposed Section 161.073, Human Resources Code (page 24, line 12), strike "executive".

(56) At the end of SECTION 1.18(a)(2)(E) of the bill (page 25, line 42), insert "and".

(57) At the end of SECTION 1.18(a)(3) of the bill (page 25, line 49), strike "; and" and substitute ".".

(58) Strike SECTION 1.18(a)(4) of the bill (page 25, lines 50-51).

(59) In SECTION 1.19(a) of the bill (page 26, line 32), strike "rulemaking or policymaking or".

(60) In SECTION 1.19(c) of the bill (page 26, lines 68-69), strike "executive commissioner of the Health and Human Services Commission" and substitute "commissioner of state health services".

(61) In SECTION 1.19(d) of the bill (page 27, lines 5-7), strike "Health and Human Services Commission or the executive commissioner of the Health and Human Services Commission." and

substitute "Department of State Health Services or the commissioner of state health services, as appropriate."

(62) In SECTION 1.20(a) of the bill (page 27, line 18), strike "rulemaking or policymaking or".

(63) In SECTION 1.20(c) of the bill (page 27, lines 59-60), strike "executive commissioner of the Health and Human Services Commission." and substitute "commissioner of family and protective services."

(64) In SECTION 1.20(d) of the bill (page 27, lines 66-67), strike "Health and Human Services Commission or the executive commissioner of the Health and Human Services Commission." and substitute "Department of Family and Protective Services or the commissioner of family and protective services, as appropriate."

(65) In SECTION 1.21(a) of the bill (page 28, line 9), strike "rulemaking or policymaking or".

(66) In SECTION 1.21(c) of the bill (page 28, lines 47-48), strike "executive commissioner of the Health and Human Services Commission." and substitute "commissioner of assistive and rehabilitative services."

(67) In SECTION 1.21(d) of the bill (page 28, lines 54-55), strike "Health and Human Services Commission or the executive commissioner of the Health and Human Services Commission." and substitute "Department of Assistive and Rehabilitative Services or the commissioner of assistive and rehabilitative services, as appropriate."

(68) Strike SECTION 1.28(1) of the bill (page 31, lines 16-17).

(69) In SECTION 1.28 of the bill (page 31, line 18), strike "(2)" and substitute "(1)".

(70) In SECTION 1.28 of the bill (page 31, line 20), strike "(3)" and substitute "(2)".