

Amend CSHB 2292, immediately following Section 1.08 of the bill (Senate committee printing, page 8, between lines 21 and 22), by inserting the following:

SECTION 1.08A. (a) Subtitle I, Title 4, Government Code, is amended by adding Chapter 534 to read as follows:

CHAPTER 534. COMMISSION FOR STATE

HEALTH EXPENDITURES

Sec. 534.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission for State Health Expenditures.

(2) "Commissioner" means the commissioner for state health expenditures.

Sec. 534.002. COMMISSION FOR STATE HEALTH EXPENDITURES.

The Commission for State Health Expenditures is an agency of the state.

Sec. 534.003. SUNSET PROVISION. The commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2013.

Sec. 534.004. COMMISSIONER. (a) The commission is under the direction of a commissioner.

(b) The commissioner is appointed by the governor with the advice and consent of the senate. The appointment of a commissioner shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

(c) A person is not eligible for appointment to the office of commissioner if the person or the person's spouse:

(1) is employed by or participates in the management of a business entity or other organization receiving funds from the commission;

(2) owns or controls, directly or indirectly, any interest in a business entity or other organization receiving funds from the commission; or

(3) uses or receives a substantial amount of tangible goods, services, or funds from the commission, other than compensation or reimbursement authorized by law for the commissioner.

(d) The commissioner may not work for any agency or office of the state other than the commission and may not perform duties for any other state agency or office that could negatively affect the performance of the commissioner's duties as commissioner.

(e) It is a ground for removal from office if the commissioner:

(1) is disqualified for the position under Subsection (c) or engages in an activity after appointment that, under Subsection (c), would have disqualified the person for appointment to the position;

(2) violates a prohibition established by Subsection (d) or Section 534.006; or

(3) cannot, because of illness or disability, discharge the commissioner's duties.

(f) The validity of an action of the commissioner or the commission is not affected by the fact that it is taken when a ground for removal of the commissioner exists.

Sec. 534.005. STAFF. (a) The commissioner may employ personnel necessary to administer the responsibilities of the commission.

(b) Compensation authorized by law for personnel employed under Subsection (a) may not exceed \$200,000 per employee.

(c) The commissioner or the commissioner's designee shall provide to commission employees, as often as necessary, information regarding their qualifications for employment under this chapter and their responsibilities under applicable laws relating to standards of conduct for state employees.

(d) The commissioner or the commissioner's designee shall prepare and maintain a written policy statement to ensure implementation of a program of equal employment opportunity under which all personnel transactions are made without regard to race, color, disability, sex, religion, age, or national origin. The policy statement must include:

(1) personnel policies that are in compliance with the requirements of Chapter 21, Labor Code; and

(2) a comprehensive analysis of the commission workforce that meets federal and state guidelines.

(e) A policy statement prepared under Subsection (d) must cover a biennial period and:

(1) be updated biennially;

(2) be reviewed by the Commission on Human Rights for compliance with Subsection (d)(1); and

(3) be filed with the governor's office.

(f) The governor's office shall deliver a biennial report to the legislature based on the information received under Subsection (e). The report may be made separately or as a part of other biennial reports made to the legislature.

Sec. 534.006. CONFLICTS OF INTEREST. (a) In this section, "Texas trade association" means a cooperative and voluntarily joined statewide association of business or professional competitors in this state designed to assist its members and its industry or profession in dealing with mutual business or professional problems and in promoting their common interest.

(b) A person may not serve as the commissioner and may not be a commission employee if:

(1) the person is an officer, employee, or paid consultant of a Texas trade association in the field of business, insurance, or health and human services; or

(2) the person's spouse is an officer, manager, or paid consultant of a Texas trade association in the field of business, insurance, or health and human services.

(c) A person may not serve as the commissioner and may not be a commission employee if the person is required to register as a lobbyist under Chapter 305.

Sec. 534.007. GENERAL DUTY OF COMMISSION. The commission shall conduct an in-depth analysis of health expenditures funded by this state to:

(1) determine the long-term needs of the state's health care systems and recommend policy priorities for the state and elected state officials;

(2) identify critical problems in the state's health care systems and recommend strategies to solve those problems;

(3) assess the cost-effectiveness of the use of federal, state, and local money in the state's health care

expenditures;

(4) advise and assist the legislature in developing plans, programs, and proposed legislation to:

(A) improve the effectiveness of the state's health care systems; and

(B) identify in the state's health care systems:

(i) potential cost saving measures;

(ii) innovative practices and best practices;

(iii) efficiency in delivery of care; and

(iv) evidence-based models of care;

(5) calculate daily costs and compare interagency costs on services provided by agencies that are a part of the state's health care systems;

(6) calculate relevant populations for use in planning for the long-term needs of the state's health care systems;

(7) determine the long-term information needs of the state's health care systems and acquire information to meet those needs; and

(8) engage in other activities consistent with the responsibilities of the commission.

Sec. 534.008. CONSULTATION WITH GOVERNOR AND LEGISLATIVE OFFICIALS. In setting the priorities for research projects of the commission, the commissioner shall consult the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each standing committee of the senate and house of representatives having jurisdiction over state health expenditures.

Sec. 534.009. ACCESS TO PROGRAMS AND FACILITIES. The commission shall comply with federal and state laws related to program and facility accessibility.

(b) This section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this section takes effect September 1, 2003.