

By: Swinford

H.B. No. 3006

A BILL TO BE ENTITLED

AN ACT

relating to state health and human services.

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

SECTION 1. Subchapter A, Chapter 531, Government Code, is amended by adding Section 531.0015 to read as follows:

Sec. 531.0015. TRANSFER OF POWERS AND DUTIES FROM CERTAIN HEALTH AND HUMAN SERVICES AGENCIES. (a) Each health and human services agency, as defined by Section 531.001(4), is abolished, and all powers, duties, personnel, property, assets, and obligations of the agency are transferred to the commission. The validity of a prior action of an agency defined by Section 531.001(4) is not affected by the abolishment.

(b) All rules of a health and human services agency, as defined by Section 531.001(4), relating to a transferred power or duty remain in effect as rules of the commission until amended or repealed by the commission.

(c) A reference in law to a health and human services agency, as defined by Section 531.001(4), or to the governing body of that agency means the commission or the commissioner of health and human services, as appropriate.

(d) The commissioner of health and human services shall organize the operations of the commission so that health and human services are provided in this state through divisions created within the commission, as determined by the commissioner.

1 SECTION 2. Subchapter A, Chapter 101, Occupations Code, is
2 amended by adding Sections 101.008, 101.0081, 101.009, 101.010,
3 101.011, and 101.012 to read as follows:

4 Sec. 101.008. SUNSET PROVISION. The Health Professions
5 Council is subject to Chapter 325, Government Code (Texas Sunset
6 Act). Unless continued in existence as provided by that chapter,
7 the council is abolished and this chapter expires September 1,
8 2015.

9 Sec. 101.0081. SPECIAL PURPOSE SUNSET REVIEW. (a) During
10 the period preceding the regular session of the 79th Legislature,
11 the Sunset Advisory Commission shall perform a special purpose
12 review of the council. In the review, the sunset commission may only
13 review the appropriateness of the recommendations made by the
14 commission to the regular session of the 78th Legislature regarding
15 the council. In the sunset commission's report to the 79th
16 Legislature, the commission may include any of those prior
17 recommendations the commission considers appropriate.

18 (b) The council and the agencies composing the council shall
19 cooperate with the Sunset Advisory Commission in the review and
20 shall provide to the commission any information the commission
21 considers necessary for the review.

22 (c) This section expires September 1, 2005.

23 Sec. 101.009. RULES. (a) The council may adopt rules to
24 govern the operation and administration of an agency listed in
25 Section 101.002.

26 (b) The council may adopt rules related to the management of
27 an agency listed in Section 101.002, including rules governing

1 information technology, human resources, and financial services.

2 (c) The council may not adopt a rule related to the practice
3 of a profession regulated by an agency listed in Section 101.002.

4 Sec. 101.010. COUNCIL POLICIES. The council shall adopt
5 policies to govern the agencies that compose the council.

6 Sec. 101.011. COUNCIL POWERS. (a) The council may manage
7 the operations of an agency listed in Section 101.002.

8 (b) The council shall exercise the administrative
9 responsibilities of information technology, human resources, and
10 financial operations of an agency listed in Section 101.002.

11 Sec. 101.012. DIVISION OF RESPONSIBILITIES. (a) The
12 council shall develop and implement policies that clearly separate
13 the policy-making responsibilities and the management
14 responsibilities of the council and the agencies that compose the
15 council.

16 (b) Notwithstanding any other law, an agency listed in
17 Section 101.002 may not adopt a rule related to the organization,
18 operating procedures, or management of the agency that is
19 determined by council rule to be within the council's
20 responsibility.

21 SECTION 3. Section 22.001, Human Resources Code, is amended
22 by adding Subsection (e) to read as follows:

23 (e) The department may solicit and accept gifts, grants, and
24 donations of money, property, or services from public or private
25 sources for use in helping persons who are needy or in carrying out
26 any of the department's functions.

27 SECTION 4. Section 21.003(d), Human Resources Code, is

1 amended to read as follows:

2 (d) The governor shall designate a member of [~~After the~~
3 ~~biennial appointment of new members,~~] the board as the [~~shall elect~~
4 ~~a]~~ presiding officer of the board to serve in that capacity at the
5 pleasure of the governor [~~who shall preside over meetings of the~~
6 ~~board]~~.

7 SECTION 5. Chapter 21, Human Resources Code, is amended by
8 adding Section 21.00605 to read as follows:

9 Sec. 21.00605. REGIONAL BUSINESS PLANNING. (a) The
10 department shall develop a business plan for each service region
11 that:

12 (1) addresses the department's statewide goals and
13 states the region's specific objectives and strategies to meet the
14 goals;

15 (2) includes region-specific targets for
16 client-centered outcome measures; and

17 (3) requires regional administrators to report at
18 least annually to the state office on the region's progress in
19 achieving the goals and objectives contained in the region's
20 business plan.

21 (b) The department shall develop standard client-centered
22 outcome measures and use the standard measures in all regional
23 business plans.

24 (c) The department must seek public input in the development
25 of regional business plans and regional strategies.

26 SECTION 6. Subchapter A, Chapter 31, Human Resources Code,
27 is amended by adding Section 31.0129 to read as follows:

1 Sec. 31.0129. COORDINATED PLAN TO IMPROVE INTERAGENCY
2 TRANSITIONS. (a) The department, the Texas Workforce Commission,
3 and representatives of local workforce development boards shall
4 conduct a survey of best practices used to transition clients
5 between local department offices and workforce centers.

6 (b) The department shall:

7 (1) analyze information collected by a survey under
8 Subsection (a); and

9 (2) formulate recommendations and strategies to
10 improve practices used to transition clients between local
11 department offices and workforce centers.

12 (c) Using existing resources, the department and local
13 workforce development boards shall adopt policies to implement the
14 recommendations and strategies contained in the revised and updated
15 memorandum of understanding under Section 31.0128.

16 SECTION 7. Chapter 122, Human Resources Code, is amended by
17 adding Section 122.029 to read as follows:

18 Sec. 122.029. DUTIES OF STATE AUDITOR. (a) As part of an
19 audit of a state agency authorized under Section 2161.123,
20 Government Code, the state auditor shall:

21 (1) conduct an audit of a state agency for compliance
22 with this chapter; and

23 (2) report to the council a state agency that is not
24 complying with this chapter.

25 (b) If the state auditor reports to the council that a state
26 agency is not complying with this chapter, the council shall assist
27 the agency in complying.

1 SECTION 8. This Act takes effect September 1, 2003.