

1-1 By: Zaffirini S.B. No. 60  
1-2 (In the Senate - Filed November 12, 2002; January 27, 2003,  
1-3 read first time and referred to Committee on Health and Human  
1-4 Services; April 14, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
1-6 April 14, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 60 By: Zaffirini

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the provision of public mental health and related  
1-11 services for certain children who need the services of more than one  
1-12 agency.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. PROVISION OF SERVICES FOR CERTAIN CHILDREN WITH  
1-15 MULTIAGENCY NEEDS. Chapter 531, Government Code, is amended by  
1-16 adding Subchapter K to read as follows:

1-17 SUBCHAPTER K. PROVISION OF SERVICES FOR CERTAIN CHILDREN  
1-18 WITH MULTIAGENCY NEEDS

1-19 Sec. 531.401. DEFINITIONS. In this subchapter:

1-20 (1) "Children with severe emotional disturbances"  
1-21 includes:

1-22 (A) children who are at risk of incarceration or  
1-23 placement in a residential mental health facility;

1-24 (B) children for whom a court may appoint the  
1-25 Department of Protective and Regulatory Services as managing  
1-26 conservator;

1-27 (C) children who are students in a special  
1-28 education program under Subchapter A, Chapter 29, Education Code;  
1-29 and

1-30 (D) children who have a substance abuse disorder  
1-31 or a developmental disability.

1-32 (2) "Systems of care agency" includes each health and  
1-33 human services agency, the Health and Human Services Commission,  
1-34 the Texas Council on Offenders with Mental Impairments, the Texas  
1-35 Education Agency, the Texas Juvenile Probation Commission, and the  
1-36 Texas Youth Commission.

1-37 (3) "Systems of care services" means a comprehensive  
1-38 state system of mental health services and other necessary and  
1-39 related services that is organized as a coordinated network to meet  
1-40 the multiple and changing needs of children with severe emotional  
1-41 disturbances and their families.

1-42 Sec. 531.402. EXECUTIVE COUNCIL MEMBERSHIP. (a) The  
1-43 systems of care executive council is composed of 21 members as  
1-44 described by this section.

1-45 (b) The commissioner of health and human services and the  
1-46 commissioner of education serve as ex officio members. Service on  
1-47 the systems of care executive council is an additional duty of the  
1-48 positions of those commissioners. The ex officio members have  
1-49 voting authority.

1-50 (c) The commissioner of health and human services shall  
1-51 appoint 12 members, each of whom must be the administrative head of  
1-52 a systems of care agency.

1-53 (d) The governor shall appoint two members, one of whom must  
1-54 be appointed from a list of nominees submitted to the governor by  
1-55 the speaker of the house of representatives. The governor may  
1-56 reject one or more of the nominees on the list. If the governor  
1-57 rejects all the nominees on the list, the speaker shall submit to  
1-58 the governor a new list of different nominees.

1-59 (e) The lieutenant governor shall appoint one member.

1-60 (f) The commissioner of health and human services and the  
1-61 commissioner of education, acting jointly, shall appoint the  
1-62 following members:

1-63 (1) one member who must be a judge of a state juvenile

2-1 court;  
 2-2 (2) one member who must be a representative of a group  
 2-3 that advocates on behalf of children with severe emotional  
 2-4 disturbances;  
 2-5 (3) one member who must be a representative of a group  
 2-6 that advocates on behalf of family members of children with severe  
 2-7 emotional disturbances; and  
 2-8 (4) one member who must be a representative of a  
 2-9 community in which systems of care services are provided.  
 2-10 (g) The appointed members of the systems of care executive  
 2-11 council serve two-year terms expiring February 1 of each  
 2-12 odd-numbered year.  
 2-13 Sec. 531.403. EXECUTIVE COUNCIL OFFICERS; MEETINGS.  
 2-14 (a) The systems of care executive council shall elect from its  
 2-15 members a presiding officer, an assistant presiding officer, and  
 2-16 other officers the council considers necessary to perform the  
 2-17 council's duties. The assistant presiding officer shall preside  
 2-18 over meetings in the presiding officer's absence.  
 2-19 (b) The systems of care executive council shall meet at  
 2-20 least three times each year at the call of the presiding officer.  
 2-21 Sec. 531.404. EXECUTIVE COUNCIL DUTIES. The systems of  
 2-22 care executive council shall:  
 2-23 (1) review and take appropriate action on the plan  
 2-24 developed under Section 531.406 for expanding the provision of  
 2-25 systems of care services;  
 2-26 (2) approve and oversee the implementation of program  
 2-27 and fiscal policies developed by the systems of care policy team;  
 2-28 (3) review and take appropriate action on  
 2-29 recommendations that the policy team presents to the council;  
 2-30 (4) approve and oversee the actions of the policy  
 2-31 team;  
 2-32 (5) ensure that systems of care agencies have adequate  
 2-33 administrative support to provide systems of care services;  
 2-34 (6) oversee the distribution and use of funding for  
 2-35 systems of care services; and  
 2-36 (7) issue a biennial report to the governor, the  
 2-37 senate, and the house of representatives that includes:  
 2-38 (A) legislative proposals relating to systems of  
 2-39 care services; and  
 2-40 (B) an evaluation of the provision of systems of  
 2-41 care services.  
 2-42 Sec. 531.405. POLICY TEAM MEMBERSHIP AND OFFICERS;  
 2-43 MEETINGS. (a) The systems of care policy team is composed of the  
 2-44 following members who are appointed by the systems of care  
 2-45 executive council and serve at the will of the executive council:  
 2-46 (1) one or more members of the senior staff of each  
 2-47 systems of care agency;  
 2-48 (2) the judge of a juvenile or domestic relations  
 2-49 court;  
 2-50 (3) a representative of an organization whose  
 2-51 membership is composed primarily of persons representing county  
 2-52 governments; and  
 2-53 (4) one or more representatives of:  
 2-54 (A) an organization that supports families of  
 2-55 children with severe emotional disturbances;  
 2-56 (B) a private organization that provides  
 2-57 services to children with severe emotional disturbances;  
 2-58 (C) a group that advocates on behalf of children  
 2-59 with severe emotional disturbances and their families; and  
 2-60 (D) a community in which systems of care services  
 2-61 are provided.  
 2-62 (b) Each member of the systems of care policy team appointed  
 2-63 under Subsection (a)(4)(A) must also be a member of the family of a  
 2-64 child with a severe emotional disturbance.  
 2-65 (c) The systems of care policy team shall elect from its  
 2-66 members a presiding officer, an assistant presiding officer, and  
 2-67 other officers the policy team considers necessary to perform the  
 2-68 policy team's duties. The assistant presiding officer shall  
 2-69 preside over meetings in the presiding officer's absence.

3-1 (d) The systems of care policy team shall meet at least once  
3-2 in each quarter of the calendar year at the call of the presiding  
3-3 officer.

3-4 Sec. 531.406. POLICY TEAM DUTIES. (a) In this section,  
3-5 "community resource coordination group" means a coordination group  
3-6 established under the memorandum of understanding adopted under  
3-7 Section 531.055, as added by Chapter 114, Acts of the 77th  
3-8 Legislature, Regular Session, 2001.

3-9 (b) The systems of care policy team shall:

3-10 (1) develop a plan for expanding the provision of  
3-11 systems of care services throughout this state, including a time  
3-12 frame for the expansion of those services and provisions for  
3-13 working with community resource coordination groups in  
3-14 implementing the plan;

3-15 (2) develop policies for integrating the services  
3-16 provided to children with severe emotional disturbances who need  
3-17 the services of more than one systems of care agency;

3-18 (3) develop procedures for distributing and  
3-19 monitoring the use of funds for systems of care services;

3-20 (4) develop methods for collecting, analyzing, and  
3-21 reporting data that can be used by each systems of care agency to  
3-22 evaluate systems of care services;

3-23 (5) develop methods that the systems of care executive  
3-24 council and each systems of care agency can use to evaluate:

3-25 (A) the provision of systems of care services;  
3-26 and

3-27 (B) the outcome of those services for the  
3-28 children and families who receive them;

3-29 (6) make recommendations to the systems of care  
3-30 executive council regarding policies, procedures, and methods  
3-31 developed under this section;

3-32 (7) provide training for and technical assistance to  
3-33 governmental entities involved in providing systems of care  
3-34 services;

3-35 (8) establish work groups to study issues relating to  
3-36 the implementation of this subchapter and the provision of systems  
3-37 of care services and submit the recommendations of those groups to  
3-38 the systems of care executive council;

3-39 (9) issue a biennial report to the systems of care  
3-40 executive council that evaluates the provision of systems of care  
3-41 services using the methods developed under this section and  
3-42 includes:

3-43 (A) the number of children and families who  
3-44 received systems of care services during the reporting period and  
3-45 the outcome of those services for the children and families who  
3-46 received them;

3-47 (B) recommendations for improving the  
3-48 coordination of:

3-49 (i) funding for systems of care services;

3-50 and  
3-51 (ii) the provision of services by systems  
3-52 of care agencies;

3-53 (C) a description of any barriers to the ability  
3-54 of a systems of care agency to provide effective systems of care  
3-55 services and recommendations for overcoming those barriers; and

3-56 (D) any other information relevant to improving  
3-57 the provision of services to children with severe emotional  
3-58 disturbances who have multiagency needs; and

3-59 (10) perform other duties that the systems of care  
3-60 executive council may assign.

3-61 (c) The actions of the systems of care policy team are  
3-62 subject to approval by the systems of care executive council.

3-63 Sec. 531.407. MERGER OF TEXAS INTEGRATED FUNDING  
3-64 INITIATIVE. (a) The systems of care policy team shall develop and  
3-65 implement a plan to merge the duties of the consortium that oversees  
3-66 the Texas Integrated Funding Initiative under Subchapter G, as  
3-67 added by Chapter 446, Acts of the 76th Legislature, Regular  
3-68 Session, 1999, with the duties of the policy team. The plan must  
3-69 ensure that:

4-1 (1) the same population groups served under the Texas  
4-2 Integrated Funding Initiative are served under this subchapter; and

4-3 (2) the availability and quality of services provided  
4-4 to those population groups do not decrease.

4-5 (b) A reference in another statute to the consortium that  
4-6 oversees the Texas Integrated Funding Initiative under Subchapter  
4-7 G, as added by Chapter 446, Acts of the 76th Legislature, Regular  
4-8 Session, 1999, includes within its meaning the systems of care  
4-9 policy team established under this subchapter.

4-10 Sec. 531.408. ADMINISTRATIVE SUPPORT FROM COMMISSION. The  
4-11 commission shall provide administrative support:

4-12 (1) to the systems of care executive council and  
4-13 policy team to assist the executive council and policy team in  
4-14 performing their duties; and

4-15 (2) where otherwise needed to fulfill the requirements  
4-16 of this subchapter.

4-17 Sec. 531.409. REIMBURSEMENT FOR EXPENSES. (a) An  
4-18 appointed member of the systems of care executive council or  
4-19 systems of care policy team may not receive compensation for  
4-20 service on the council or team but is entitled to reimbursement of  
4-21 the travel expenses incurred by the member while conducting the  
4-22 business of the council or team, as provided by the General  
4-23 Appropriations Act.

4-24 (b) The reimbursement may be paid from:

4-25 (1) available funds of the systems of care agency with  
4-26 which the member is employed or that the member represents, in the  
4-27 case of a person whose membership on the council or team is a result  
4-28 of being an employee or representative of that agency; or

4-29 (2) available funds of the commission, in the case of  
4-30 other members of the council or team.

4-31 SECTION 2. FUNDING PLAN FOR PROVISION OF MULTIAGENCY  
4-32 SERVICES. (a) The systems of care executive council created by  
4-33 Section 531.402, Government Code, as added by this Act, shall  
4-34 develop a plan for funding systems of care services established  
4-35 under Subchapter K, Chapter 531, Government Code, as added by this  
4-36 Act, using all available state and federal money, including money  
4-37 used to fund a site participating in the Texas Integrated Funding  
4-38 Initiative under Subchapter G, Chapter 531, Government Code, as  
4-39 added by Chapter 446, Acts of the 76th Legislature, Regular  
4-40 Session, 1999.

4-41 (b) The systems of care executive council shall report on  
4-42 the plan to the legislature not later than September 1, 2004.

4-43 SECTION 3. INITIAL APPOINTEES TO EXECUTIVE COUNCIL. The  
4-44 initial appointees to the systems of care executive council created  
4-45 by Section 531.402, Government Code, as added by this Act, serve  
4-46 terms expiring February 1, 2005.

4-47 SECTION 4. EFFECTIVE DATE. This Act takes effect September  
4-48 1, 2003.

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