

## **BILL ANALYSIS**

S.B. 882  
By: Lucio  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The law relating to the Texas Council on Autism and Pervasive Disorders (council) needs to be updated to reflect changes made to the organization, powers and duties of health and human services agencies by the passage of legislation during the 78th Texas Legislature.

S.B. 882 makes these necessary updates and also includes other provisions such as new reporting requirements, new provisions relating to the terms of council members, and provisions intended to increase stakeholder involvement in council operations.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The bill makes numerous conforming changes to provisions of law affecting the council to reflect the current organizational structure, powers, and duties of Texas health and human services agencies.

The bill changes the name of the council from the Interagency Council on Autism and Pervasive Developmental Disorders to the Texas Council on Autism and Pervasive Developmental Disorders.

The bill updates the definition of "autism."

The bill changes the health and human agencies represented on the council, and includes new provisions relating to the terms of council members, and relating to the expiration of such terms.

The bill provides that the council may require the employment of staff to carry out the responsibilities of the council, rather than to perform clerical duties as is provided by current law.

The bill requires the executive commissioner of the Health and Human Services Commission to determine what funding resources are to be used for the council.

The bill amends current law relating to the advisory task force that assists the council, including provisions relating to the appointment of the chair, appointment and removal of task force members, and developing a strategy for establishing new programs.

The bill requires the council to obtain input from people with autism and other pervasive developmental disorders, their families, and related advocacy organizations in:

- addressing contemporary issues affecting certain services available to persons with autism or other pervasive developmental disorders in this state;
- advising the legislature on legislation that is needed to develop further and maintain a statewide system of quality intervention and treatment services for all persons with autism or other pervasive development disorders; and
- developing a strategy for establishing new programs.

The bill requires the council, not later than November 1 each year, to prepare and deliver to certain executive and legislative oversight officials a report summarizing its recommendations.

The bill provides that funds may be appropriated from available resources to allow the council to provide recommendations to HHSC and other appropriate state agencies responsible for implementing Chapter 114, Human Resources Code, including recommendations relating to the use of funds appropriated to HHSC or another health and human services agency to provide services to persons with autism or other pervasive developmental disorders.

The bill directs the council to develop with HHSC, and any agency designated by HHSC, procedures for allocating available funds to programs approved under Section 114.011, Human Resources Code.

The bill includes a grandfather clause allowing a public member of council serving a term scheduled to expire February 1, 2007 to serve the remainder of the public member's term until February 1, 2007.

The bill sets forth certain timelines for gubernatorial appointment of members to the council.

**EFFECTIVE DATE**

September 1, 2005