

1-1 By: Woolley, et al. (Senate Sponsor - Nelson) H.B. No. 916
1-2 (In the Senate - Received from the House April 27, 2005;
1-3 April 29, 2005, read first time and referred to Committee on Health
1-4 and Human Services; May 17, 2005, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 6,
1-6 Nays 0; May 17, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 916 By: Nelson

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

1-10 relating to creating the Texas Health Care Policy Council.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subtitle E, Title 2, Health and Safety Code, is
1-13 amended by adding Chapter 113 to read as follows:
1-14 CHAPTER 113. TEXAS HEALTH CARE POLICY COUNCIL
1-15 Sec. 113.001. DEFINITIONS. In this chapter:
1-16 (1) "Council" means the Texas Health Care Policy
1-17 Council.
1-18 (2) "Partnership" means the Texas Health Workforce
1-19 Planning Partnership.
1-20 Sec. 113.002. COMPOSITION OF COUNCIL. (a) The council is
1-21 within the office of the governor and shall report to the governor
1-22 or the governor's designee.
1-23 (b) The council is composed of the administrative head of
1-24 the following agencies or that person's designee:
1-25 (1) the Health and Human Services Commission;
1-26 (2) the Department of State Health Services;
1-27 (3) the Department of Aging and Disability Services;
1-28 (4) the Texas Workforce Commission;
1-29 (5) the Texas Higher Education Coordinating Board;
1-30 (6) the Texas Department of Insurance;
1-31 (7) the Employees Retirement System of Texas;
1-32 (8) the Teacher Retirement System of Texas;
1-33 (9) each health care related licensing agency
1-34 identified by the governor; and
1-35 (10) any other state agency or system of higher
1-36 education identified by the governor that purchases or provides
1-37 health care services.
1-38 Sec. 113.003. ADVISORY COMMITTEES AND AD HOC COMMITTEES;
1-39 TEXAS HEALTH WORKFORCE PLANNING PARTNERSHIP. (a) The council may
1-40 form advisory and ad hoc committees as necessary to accomplish the
1-41 council's purpose, including committees composed of health care
1-42 experts from the public and private sectors to review policy
1-43 matters related to the council's purpose.
1-44 (b) The Texas Health Workforce Planning Partnership is a
1-45 standing subcommittee of the council and is composed of:
1-46 (1) the members of the council representing:
1-47 (A) the Health and Human Services Commission;
1-48 (B) the Department of State Health Services;
1-49 (C) the Texas Workforce Commission;
1-50 (D) the Texas Higher Education Coordinating
1-51 Board; and
1-52 (E) any other state agency or system of higher
1-53 education identified by the governor that impacts health care
1-54 workforce planning; and
1-55 (2) the administrative head of the following agencies
1-56 or that person's designee:
1-57 (A) the Health Professions Council; and
1-58 (B) the Office of Rural Community Health Affairs.
1-59 (c) The partnership shall monitor the health care workforce
1-60 needs of the state, including monitoring the number and type of
1-61 health care workers in the state by region and the health care
1-62 workforce needs of the state, identifying any changes in the number
1-63 of health care workers or health care workforce needs, and

2-1 monitoring the quality of care provided by the health care
 2-2 workforce.

2-3 (d) The partnership shall:

2-4 (1) undertake and implement appropriate health care
 2-5 workforce planning activities; and

2-6 (2) research and identify ways to increase funding for
 2-7 health care, including obtaining money from federal, state,
 2-8 private, or public sources.

2-9 Sec. 113.004. COMPENSATION AND EXPENSES. Service on the
 2-10 council or the partnership is an additional duty of a member's
 2-11 office or employment. A member of the council or the partnership is
 2-12 not entitled to compensation but is entitled to reimbursement of
 2-13 travel expenses incurred by the member while conducting the
 2-14 business of the council or the partnership, as provided in the
 2-15 General Appropriations Act.

2-16 Sec. 113.005. MEETINGS. (a) The council shall meet at
 2-17 least once each year. The council may meet at other times at the
 2-18 call of the presiding officer or as provided by the rules of the
 2-19 council.

2-20 (b) The council is a governmental body for purposes of the
 2-21 open meetings law, Chapter 551, Government Code.

2-22 Sec. 113.006. DIRECTOR; STAFF. (a) The council shall,
 2-23 subject to the approval of the governor, hire a director to serve as
 2-24 the chief executive officer of the council and to perform the
 2-25 administrative duties of the council.

2-26 (b) The director serves at the will of the council.

2-27 (c) The director may hire staff within guidelines
 2-28 established by the council.

2-29 Sec. 113.007. FUNDING. Each state agency represented on
 2-30 the council shall provide funds for the support of the council and
 2-31 to implement this chapter. The council, with the governor's
 2-32 approval, shall establish a funding formula to determine the level
 2-33 of support each state agency must provide.

2-34 Sec. 113.008. EQUAL EMPLOYMENT OPPORTUNITY. (a) The
 2-35 director or the director's designee shall prepare and maintain a
 2-36 written policy statement that implements a program of equal
 2-37 employment opportunity to ensure that all personnel decisions are
 2-38 made without regard to race, color, disability, sex, religion, age,
 2-39 or national origin.

2-40 (b) The policy statement must include:

2-41 (1) personnel policies, including policies relating
 2-42 to recruitment, evaluation, selection, training, and promotion of
 2-43 personnel, that show the intent of the council to avoid the unlawful
 2-44 employment practices described by Chapter 21, Labor Code; and

2-45 (2) an analysis of the extent to which the composition
 2-46 of the council's personnel is in accordance with state and federal
 2-47 law and a description of reasonable methods to achieve compliance
 2-48 with state and federal law.

2-49 (c) The policy statement must:

2-50 (1) be updated annually;

2-51 (2) be reviewed by the civil rights division of the
 2-52 Texas Workforce Commission for compliance with Subsection (b)(1);
 2-53 and

2-54 (3) be filed with the governor's office.

2-55 Sec. 113.009. QUALIFICATIONS AND STANDARDS OF CONDUCT. The
 2-56 director or the director's designee shall provide to members of the
 2-57 council and to council employees, as often as necessary,
 2-58 information regarding the requirements for office or employment
 2-59 under this chapter, including information regarding a person's
 2-60 responsibilities under applicable laws relating to standards of
 2-61 conduct for state officers or employees.

2-62 Sec. 113.010. RESEARCH PROJECTS; REPORT. (a) The council
 2-63 shall identify gaps, flaws, inefficiencies, or problems in the
 2-64 health care system that create systemic or substantial negative
 2-65 impacts on the participants in the health care system, study those
 2-66 problems, and identify possible solutions for the state or other
 2-67 participants in the system.

2-68 (b) Not later than September 1 after each regular session of
 2-69 the legislature, the speaker of the house of representatives and

3-1 the lieutenant governor may submit health care related issues to
3-2 the governor for referral to the council. The health care related
3-3 issues may include:

- 3-4 (1) disparities in quality and levels of care;
- 3-5 (2) problems for uninsured individuals;
- 3-6 (3) the cost of pharmaceuticals;
- 3-7 (4) the cost of health care;
- 3-8 (5) access to health care;
- 3-9 (6) the quality of health care; or
- 3-10 (7) any other issue related to health care.

3-11 (c) The governor shall refer health care related issues to
3-12 the council for research and analysis. The governor shall
3-13 prioritize the issues for the council. The council shall study
3-14 those issues identified by the governor and identify possible
3-15 solutions for the state or other participants in the health care
3-16 system.

3-17 (d) Not later than December 31 of each even-numbered year,
3-18 the council shall submit a report of the council's findings and
3-19 recommendations to the governor, lieutenant governor, and speaker
3-20 of the house of representatives.

3-21 (e) The report submitted under Subsection (d) must include
3-22 recommendations from the partnership and any other advisory body
3-23 formed under Section 113.003.

3-24 Sec. 113.011. PURCHASE OF HEALTH CARE PRODUCTS OR SERVICES.
3-25 The council shall ensure the most effective collaboration among
3-26 state agencies in the purchase of health care products or services.
3-27 As a state agency develops an expertise in purchasing health care
3-28 products or services, that agency shall assist other agencies in
3-29 the purchase of the same products or services.

3-30 Sec. 113.012. USE OF TECHNOLOGY IN HEALTH CARE. (a) The
3-31 council shall facilitate and promote the use of technology in the
3-32 health care system as a way to decrease administrative costs and to
3-33 increase and improve the quality of health care.

3-34 (b) The council shall monitor, research, and promote
3-35 initiatives relating to patient safety and the use of telemedicine
3-36 and telehealth.

3-37 (c) The council shall coordinate its activities with other
3-38 offices and state agencies that are primarily focused on the use of
3-39 technology or the use of technology in health care.

3-40 Sec. 113.013. INFORMATION RESOURCE. (a) The council shall
3-41 establish a clearinghouse of information to assist communities in
3-42 assessing the needs of local health care systems. The council
3-43 shall:

- 3-44 (1) collect information on innovative health care
3-45 service delivery models and make that information available to
3-46 communities;
- 3-47 (2) provide information on grants and technical
3-48 assistance in the application process; and
- 3-49 (3) collect information on the development and testing
3-50 of quality measures.

3-51 (b) The council shall investigate the best ways to collect,
3-52 compare, and communicate the information to local communities.

3-53 Sec. 113.014. COORDINATION WITH OTHER ORGANIZATIONS. (a)
3-54 The council may coordinate its research and reporting activities
3-55 with other public or private entities performing research on health
3-56 care policy or other topics related to the mission of the council,
3-57 including academic institutions and nonprofit organizations.

3-58 (b) The council may contract with public or private entities
3-59 to perform its research and reporting activities.

3-60 SECTION 2. This Act takes effect immediately if it receives
3-61 a vote of two-thirds of all the members elected to each house, as
3-62 provided by Section 39, Article III, Texas Constitution. If this
3-63 Act does not receive the vote necessary for immediate effect, this
3-64 Act takes effect September 1, 2005.

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