

By: Delisi

H.B. No. 1064

A BILL TO BE ENTITLED

AN ACT

relating to creating the Governor's Health Care Coordinating Council.

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

SECTION 1. Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 113 to read as follows:

CHAPTER 113. GOVERNOR'S HEALTH CARE COORDINATING COUNCIL

Sec. 113.001. DEFINITION. In this chapter, "council" means the Governor's Health Care Coordinating Council.

Sec. 113.002. COMPOSITION OF COUNCIL. (a) The council is within the office of the governor and shall report to the governor or the governor's designee.

(b) The council is composed of the administrative head of the following agencies or that person's designee:

(1) the Health and Human Services Commission;

(2) the Department of State Health Services;

(3) the Department of Aging and Disability Services;

(4) the Employees Retirement System of Texas;

(5) the Teacher Retirement System of Texas;

(6) the Correctional Managed Health Care Committee;

and

(7) any other state agency identified by the governor that purchases health care products or services.

Sec. 113.003. COMPENSATION AND EXPENSES. Service on the

1 council is an additional duty of a member's office or employment. A  
2 member of the council is not entitled to compensation but is  
3 entitled to reimbursement of travel expenses incurred by the member  
4 while conducting the business of the council, as provided in the  
5 General Appropriations Act.

6 Sec. 113.004. SUPPORT STAFF. The council's member agencies  
7 shall provide the staff for the council.

8 Sec. 113.005. MEETINGS. (a) The council shall meet at  
9 least once each year. The council may meet at other times at the  
10 call of the presiding officer or as provided by the rules of the  
11 council.

12 (b) The council is a governmental body for purposes of the  
13 open meetings law, Chapter 551, Government Code.

14 Sec. 113.006. RESEARCH PROJECTS; REPORT. (a) The council  
15 shall identify gaps, flaws, inefficiencies, or problems in the  
16 health care system that create systemic or substantial negative  
17 impacts on the participants in the health care system, study those  
18 problems, and identify possible solutions for the state or other  
19 participants in the system.

20 (b) Not later than September 1 after each regular session of  
21 the legislature, the speaker of the house of representatives and  
22 the lieutenant governor may submit health care-related issues to  
23 the governor for referral to the council. The health care-related  
24 issues may include:

25 (1) disparities in quality and levels of care;

26 (2) problems for uninsured individuals;

27 (3) the cost of pharmaceuticals;

- 1           (4) the cost of health care;
- 2           (5) access to health care;
- 3           (6) quality of health care; or
- 4           (7) any other issue related to health care.

5           (c) The governor shall refer health care-related issues to  
6 the council for research and analysis. The governor shall  
7 prioritize the issues for the council. The council shall study  
8 those issues identified by the governor and identify possible  
9 solutions for the state or other participants in the health care  
10 system.

11           (d) Not later than December 31 of each even-numbered year  
12 the council shall submit a biennial report of the council's  
13 findings and recommendations to the governor, lieutenant governor,  
14 and speaker of the house of representatives.

15           Sec. 113.007. PURCHASE OF HEALTH CARE PRODUCTS OR SERVICES.

16           (a) The council shall ensure the most effective collaboration  
17 among state agencies in the purchase of health care products or  
18 services. As a state agency develops an expertise in purchasing  
19 health care products or services, that agency shall assist other  
20 agencies in the purchase of the same products or services.

21           (b) Before a state agency issues a request for the purchase  
22 of health care products or services, the agency must notify the  
23 council of the pending purchase. The council shall determine  
24 whether another state agency has previously purchased the same  
25 health care products or services or is currently in the process of  
26 purchasing those products or services. The council shall assist  
27 the state agencies in coordinating the purchase of the health care

1 products or services.

2 (c) After a state agency enters into a contract for the  
3 purchase of health care products or services, the agency must  
4 report to the council:

5 (1) the name of the seller of the health care products  
6 or services;

7 (2) the health care products or services purchased;  
8 and

9 (3) the purchase price for the products or services.

10 (d) The council shall maintain a database of the information  
11 relating to the purchase of health care products or services the  
12 council receives under this section.

13 SECTION 2. Section 431.116(e), Health and Safety Code, is  
14 amended to read as follows:

15 (e) The department shall report the information collected  
16 under Subsection (b) to the Governor's Health Care Coordinating  
17 Council [~~Interagency Council on Pharmaceuticals Bulk Purchasing~~].

18 SECTION 3. Section 431.208(d), Health and Safety Code, is  
19 amended to read as follows:

20 (d) The department shall report the information collected  
21 under Subsection (a) to the Governor's Health Care Coordinating  
22 Council [~~Interagency Council on Pharmaceuticals Bulk Purchasing~~].

23 SECTION 4. Chapter 111, Health and Safety Code, is  
24 repealed.

25 SECTION 5. (a) The Interagency Council on Pharmaceuticals  
26 Bulk Purchasing is abolished. All powers, duties, obligations,  
27 rights, contracts, appropriations, records, and property of the

1 Interagency Council on Pharmaceuticals Bulk Purchasing are  
2 transferred to the Governor's Health Care Coordinating Council.

3 (b) A rule, policy, procedure, or decision of the  
4 Interagency Council on Pharmaceuticals Bulk Purchasing continues  
5 in effect as a rule, policy, procedure, or decision of the  
6 Governor's Health Care Coordinating Council until superseded by an  
7 act of the Governor's Health Care Coordinating Council.

8 (c) A reference in another law to the Interagency Council on  
9 Pharmaceuticals Bulk Purchasing means the Governor's Health Care  
10 Coordinating Council.

11 SECTION 6. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2005.