

AN ACT

relating to the long-range plan for the South Texas Health Care System and the provision of tuberculosis and other health care services in the Lower Rio Grande Valley.

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

SECTION 1. Sections 1 through 7, Chapter 1106, Acts of the 76th Legislature, Regular Session, 1999, are amended to read as follows:

Sec. 1. CONSTRUCTION OF NEW PHYSICAL FACILITIES FOR OUTPATIENT HEALTH CARE SERVICES. (a) The ~~[Texas]~~ Department of State Health Services shall contract for the construction of at least one ~~[an initial,]~~ new physical facility for outpatient health care services, including outpatient tuberculosis services, out of funds appropriated to the department for that purpose.

(b) ~~[The initial physical facility constructed under Subsection (a) of this section must be:~~

~~[(1) located at the site of the South Texas Hospital in Harlingen, Texas, or~~

~~[(2) colocated with the initial site of the Regional Academic Health Center at a common site in Harlingen, Texas, and adjacent to the center.~~

~~[(c) The contract under Subsection (a) of this section for the construction of the initial physical facility in Harlingen, Texas, must specify that the physical facility be designed and~~

1 ~~constructed to allow for the provision of all outpatient health~~
2 ~~care services, including outpatient tuberculosis services,~~
3 ~~provided at the South Texas Hospital on the effective date of this~~
4 ~~Act. The facility may be designed and constructed to allow for the~~
5 ~~provision of additional outpatient health care services.~~

6 ~~[(d) If the initial physical facility constructed under~~
7 ~~Subsection (a) of this section is colocated with the Regional~~
8 ~~Academic Health Center, the contract under this section must~~
9 ~~specify that, to the maximum extent possible, that facility and the~~
10 ~~Regional Academic Health Center must be designed and constructed~~
11 ~~together to realize potential savings in construction costs and~~
12 ~~long-term maintenance and operations costs by using common central~~
13 ~~utility plants, cafeterias, laundry facilities, maintenance~~
14 ~~facilities, and other support facilities. The board of regents of~~
15 ~~The University of Texas System shall cooperate with the Texas~~
16 ~~Department of Health to coordinate the structure and design of the~~
17 ~~physical facilities of the facility constructed under Subsection~~
18 ~~(a) of this section and the Regional Academic Health Center to~~
19 ~~achieve a maximally efficient use of resources.~~

20 ~~[(c) Out of funds available to the Texas Department of~~
21 ~~Health for that purpose, the department may contract for the~~
22 ~~construction of additional physical facilities for outpatient~~
23 ~~health care services, including outpatient tuberculosis services.]~~

24 One facility may be located in Hidalgo County [~~McAllen~~], Texas, and
25 another facility may be located in Cameron County [~~Brownsville~~],
26 Texas.

27 Sec. 2. OUTPATIENT HEALTH CARE SERVICES. (a) On

1 completion of the [~~initial~~] physical facility or facilities [~~in~~
2 ~~Harlingen, Texas,~~] required by Section 1 of this Act, the provision
3 of all outpatient health care services, including outpatient
4 tuberculosis services, provided by the South Texas Health Care
5 System [~~Hospital on the effective date of this Act~~] shall be
6 transferred to that facility or those facilities.

7 (b) The [~~Texas~~] Department of State Health Services may
8 contract with one or more public or private health care providers or
9 entities for the management and operation of the physical
10 facilities constructed under Section 1 of this Act and for the
11 provision of outpatient health care services at those facilities.

12 Sec. 3. INPATIENT HEALTH CARE AND RELATED LABORATORY
13 SERVICES. Out of funds appropriated to the [~~Texas~~] Department of
14 State Health Services to provide inpatient health care services,
15 the department shall contract with one or more public or private
16 health care providers or entities, including a political
17 subdivision that is located in the Rio Grande Valley region and is
18 responsible for providing health care services to its residents,
19 for the provision of inpatient health care services, including
20 inpatient tuberculosis services, and related laboratory services
21 provided by the South Texas Health Care System [~~Hospital on the~~
22 ~~effective date of this Act~~].

23 Sec. 4. INTERIM RENOVATION OF PHYSICAL FACILITIES OF SOUTH
24 TEXAS HEALTH CARE SYSTEM [~~HOSPITAL~~]. Out of funds appropriated to
25 the department for the purpose of this section, the [~~Texas~~]
26 Department of State Health Services shall contract for minimally
27 necessary structural and design renovations to the physical

1 facilities of the South Texas Health Care System [~~Hospital~~]
 2 required for compliance with Texas Accessibility Standards and the
 3 federal Americans with Disabilities Act of 1990 (42 U.S.C. Section
 4 12101 et seq.), as amended, and for the continued operation of the
 5 South Texas Health Care System [~~Hospital~~] to provide outpatient
 6 health care services until construction of the [~~initial~~] physical
 7 facility or facilities required by Section 1 of this Act [~~in~~
 8 ~~Harlingen, Texas,~~] for the provision of those services is
 9 completed.

10 Sec. 5. FUTURE OF SOUTH TEXAS HEALTH CARE SYSTEM
 11 [~~HOSPITAL~~]. If the Department of State Health Services does not use
 12 the current physical facilities of the South Texas Health Care
 13 System upon completion of the physical facility or facilities
 14 required by Section 1 of this Act, the department [~~The Texas Board~~
 15 ~~of Health~~] shall give the [~~Texas~~] Department of Aging and
 16 Disability Services [~~Mental Health and Mental Retardation~~] the
 17 first option to lease the current physical facilities of the South
 18 Texas Health Care System [~~Hospital~~] on completion of construction
 19 of the [~~initial~~] physical facility or facilities required by
 20 Section 1 of this Act for outpatient health care services [~~in~~
 21 ~~Harlingen, Texas,~~] and after contracting providers or entities
 22 under Section 3 of this Act have begun providing inpatient health
 23 care and related laboratory services. If the [~~Texas~~] Department of
 24 Aging and Disability Services [~~Mental Health and Mental~~
 25 ~~Retardation~~] does not lease the facilities, the department [~~Texas~~
 26 ~~Board of Health~~] shall study and prepare leasing and other options
 27 for potential future uses of the facilities.

1 ~~[Sec. 6. CONTINUATION OF SUPPORT SERVICES. (a) If the~~
2 ~~initial physical facility constructed as required by Section 1 of~~
3 ~~this Act is collocated with the Regional Academic Health Center, the~~
4 ~~Texas Department of Health and the Texas Department of Mental~~
5 ~~Health and Mental Retardation shall enter into an interagency~~
6 ~~contract to provide for the continuation of support services for~~
7 ~~the facility operated by the Texas Department of Mental Health and~~
8 ~~Mental Retardation that is collocated with the South Texas Hospital.~~

9 ~~[(b) The contract may include a provision requiring the~~
10 ~~Texas Department of Health to continue providing employees for~~
11 ~~support facilities at the site.]~~

12 Sec. 7. DISPLACED EMPLOYEES OF SOUTH TEXAS HEALTH CARE
13 SYSTEM [~~HOSPITAL~~]. (a) Out of available funds appropriated to
14 the [~~Texas~~] Department of State Health Services, the department
15 shall reassign a member of the employee class of the department who
16 is employed at the South Texas Health Care System [~~Hospital~~] and
17 whose position is displaced as a result of a contract entered into
18 by the [~~Texas~~] Department of State Health Services under this Act or
19 the transfer of services from the South Texas Health Care System
20 [~~Hospital~~] to an open position within the department in reasonable
21 proximity to the South Texas Health Care System [~~Hospital~~] and for
22 which the member is qualified. If reassignment of a member of the
23 employee class to another position within the department is not
24 possible, the department shall provide job placement assistance to
25 the member.

26 (b) A contract awarded by the [~~Texas~~] Department of State
27 Health Services under this Act must include a provision that the

1 contracting entity shall offer an employee of the South Texas
2 Health Care System [~~Hospital~~] whose position is displaced as a
3 result of the contract a similar employment position with the
4 contracting entity before offering the position to any other person
5 if the contracting entity determines that the displaced employee is
6 qualified for the position.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 815 passed the Senate on
April 20, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 815 passed the House on
May 25, 2005, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor