

By: Lucio

S.B. No. 815

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

21 [~~(c) The contract under Subsection (a) of this section for~~
22 ~~the construction of the initial physical facility in Harlingen,~~
23 ~~Texas, must specify that the physical facility be designed and~~
24 ~~constructed to allow for the provision of all outpatient health~~

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

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

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

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

26 SECTION 2. OUTPATIENT HEALTH CARE SERVICES. (a) On
27 completion of the ~~[initial]~~ physical facility or facilities ~~[in~~

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

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

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

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

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

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

27 ~~[SECTION 6. CONTINUATION OF SUPPORT SERVICES. (a) If the~~

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

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

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

25 (b) A contract awarded by the [~~Texas~~] Department of State
26 Health Services under this Act must include a provision that the
27 contracting entity shall offer an employee of the South Texas

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