

By: Lucio

S.B. No. 882

A BILL TO BE ENTITLED

AN ACT

relating to the name, functions, and duties of the Texas Council on Autism and Pervasive Developmental Disorders.

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

SECTION 1. The heading to Chapter 114, Human Resources Code, is amended to read as follows:

CHAPTER 114. TEXAS [~~INTERAGENCY~~] COUNCIL ON AUTISM AND PERVASIVE DEVELOPMENTAL DISORDERS

SECTION 2. Section 114.001, Human Resources Code, is amended to read as follows:

Sec. 114.001. SHORT TITLE. This chapter may be cited as the Texas [~~Interagency~~] Council on Autism and Pervasive Developmental Disorders Act of 1987.

SECTION 3. Section 114.002, Human Resources Code, is amended to read as follows:

Sec. 114.002. DEFINITIONS. In this chapter:

(1) "Autism and other pervasive developmental disorders" means a subclass of mental disorders characterized by distortions in the development of multiple basic psychological functions that are involved in the development of social skills and language, as defined by the Diagnostic and Statistical Manual, 4th [~~3rd~~] Edition.

(2) "Council" means the Texas [~~Interagency~~] Council on Autism and Pervasive Developmental Disorders.

1 SECTION 4. The heading to Section 114.003, Human Resources
2 Code, is amended to read as follows:

3 Sec. 114.003. [~~INTERAGENCY~~] COUNCIL.

4 SECTION 5. Sections 114.003(a) and (b), Human Resources
5 Code, are amended to read as follows:

6 (a) The Texas [~~Interagency~~] Council on Autism and Pervasive
7 Developmental Disorders is established.

8 (b) The council is composed of:

9 (1) seven public members, the majority of whom are
10 family members of a person with autism or a pervasive developmental
11 disorder, appointed by the governor with the advice and consent of
12 the senate; and

13 (2) one representative from each of the following
14 state agencies, to serve as ex officio members:

15 (A) [~~Texas~~] Department of Aging and Disability
16 Services [~~Mental Health and Mental Retardation~~];

17 (B) [~~Texas~~] Department of State Health Services;

18 (C) Health and [~~Texas Department of~~] Human
19 Services Commission;

20 (D) Texas Education Agency;

21 (E) Department of Assistive and Rehabilitative
22 Services [~~Texas Rehabilitation Commission~~]; and

23 (F) Department of Family Protective Services
24 [~~Interagency Council on Early Childhood Intervention~~].

25 SECTION 6. Section 114.004, Human Resources Code, is
26 amended to read as follows:

27 Sec. 114.004. STAFF SUPPORT. The agencies represented on

1 the council shall provide staff support to the council from among
2 the agency staff who are responsible for coordinating services to
3 persons with autism or other pervasive developmental disorders or
4 to those persons' families. The council may require the employment
5 of staff to carry out the responsibilities of the council [~~perform~~
6 ~~clerical duties~~]. The executive commissioner of the Health and
7 [~~Texas Department of~~] Human Services Commission shall determine
8 which agency must employ [~~clerical~~] staff for the council and what
9 funding resources shall be used for the council.

10 SECTION 7. Section 114.005, Human Resources Code, is
11 amended by amending Subsection (b) and adding Subsection (c) to
12 read as follows:

13 (b) The chair of the council [~~task force~~] shall appoint the
14 chair of the task force [~~elect its own chairperson~~] and the task
15 force shall meet and serve in accordance with council rules. The
16 council may divide the task force into regional committees to
17 assist the council in community level program planning and
18 implementation.

19 (c) A member of the task force may be appointed or removed
20 without cause by a majority vote of the public members of the
21 council present at a council meeting.

22 SECTION 8. Sections 114.007(a), (b), and (c), Human
23 Resources Code, are amended to read as follows:

24 (a) The council shall provide recommendations to the Health
25 and Human Services Commission and other appropriate state agencies
26 [~~Texas Department of Mental Health and Mental Retardation as the~~
27 ~~state agency primarily~~] responsible for implementing this chapter,

1 including recommendations relating to the use of funds appropriated
2 to the commission or another health and human services agency
3 [~~department~~] to provide services to persons with autism or other
4 pervasive developmental disorders.

5 (b) The council with the advice of the advisory task force
6 and input from people with autism and other pervasive developmental
7 disorders, their families, and related advocacy organizations
8 shall address contemporary issues affecting services available to
9 persons with autism or other pervasive developmental disorders in
10 this state, including:

11 (1) successful intervention and treatment strategies,
12 including transitioning;

13 (2) personnel preparation and continuing education;

14 (3) referral, screening, and evaluation services;

15 (4) day care, respite care, or residential care
16 services;

17 (5) vocational and adult training programs;

18 (6) public awareness strategies;

19 (7) contemporary research;

20 (8) early identification strategies;

21 (9) family counseling and case management; and

22 (10) recommendations for monitoring autism service
23 programs.

24 (c) The council with the advice of the advisory task force
25 and input from people with autism and other pervasive developmental
26 disorders, their families, and related advocacy organizations
27 shall advise the legislature on legislation that is needed to

1 develop further and to maintain a statewide system of quality
2 intervention and treatment services for all persons with autism or
3 other pervasive developmental disorders. The council may develop
4 and recommend legislation to the legislature or comment on pending
5 legislation that affects those persons.

6 SECTION 9. Section 114.008, Human Resources Code, is
7 amended to read as follows:

8 Sec. 114.008. REPORT. (a) The agencies represented on
9 the council and the public members shall report to the council any
10 requirements identified by the agency or person to provide
11 additional or improved services to persons with autism or other
12 pervasive developmental disorders. Not later than November 1 of
13 each year, the council shall prepare and deliver to the executive
14 commissioner of the Health and Human Services Commission, the
15 governor, the lieutenant governor, and the speaker of the house of
16 representatives a report summarizing the recommendations.

17 (b) The council shall develop a strategy for establishing
18 new programs to meet the requirements identified through the
19 council's review and assessment and from input from the task force,
20 people with autism and related pervasive developmental disorders,
21 their families, and related advocacy organizations [~~by the agencies~~
22 ~~and the public members~~].

23 SECTION 10. Section 114.010, Human Resources Code, is
24 amended by adding Subsection (d) to read as follows:

25 (d) Funds shall be appropriated from available resources to
26 allow the council to fund services and activities serving people
27 with autism or related pervasive developmental disorders in this

1 state.

2 SECTION 11. Section 114.011(c), Human Resources Code, is
3 amended to read as follows:

4 (c) The council shall develop with the Health and Human
5 Services Commission and any agency designated by the commission
6 [~~Texas Department of Mental Health and Mental Retardation~~]
7 procedures for allocating available funds to programs approved
8 under this section.

9 SECTION 12. This Act takes effect September 1, 2005.