

BILL ANALYSIS

Senate Research Center
80R16289 BEF-F

C.S.S.B. 1587
By: Shapleigh
Health & Human Services
4/23/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A report that surveyed several Children's Health Insurance Plan (CHIP) and Medicaid families in April and May of 2006 found that Spanish-speaking families were less likely to renew coverage than English-speaking families. Almost two-thirds of those children who drop out of CHIP will likely fail to obtain any other health insurance coverage. The report suggested that Spanish-speaking families face many barriers to obtaining health care and food stamp services.

Poor quality service to Spanish-speakers and language barriers prevent and discourage these individuals from receiving such services. It has been reported that the average Spanish-speaking caller had to wait over three times as long as an English speaker to speak to a representative about CHIP or other state services. Many of the Spanish-language documents used by state agencies providing these services are confusing and contain misspelled words, errors, and inconsistencies.

C.S.S.B. 1587 requires a contract made with the Health and Human Services Commission or a health and human services agency that involves oral or written communication with individuals to provide that such communication be provided to persons with limited English proficiency .

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 531, Government Code, by adding Section 531.019, as follows:

Sec. 531.019. SERVICES PROVIDED BY CONTRACTOR TO PERSONS WITH LIMITED ENGLISH PROFICIENCY. (a) Requires each contract with the Health and Human Services Commission (HHSC) or a health and human services agency (agency) that requires the provision of call center services or written communications related to call center services (services) to include performance standards that measure the effectiveness, promptness, and accuracy of the contractor's oral and written communications with persons of limited English proficiency. Requires each person seeking to enter into a contract described by this subsection to include in the bid or other expression of interest for the contract a proposal for providing services to persons with limited English proficiency.

(b) Requires the proposal required under Subsection (a) to include a language access plan describing how the contractor will achieve any performance standards described in the request for bids, proposals, or other applicable expressions of interest. Requires the plan to describe how the contractor will achieve certain objectives set forth in this subsection related to the provision of assistance to persons with limited English proficiency.

(c) Requires HHSC or an agency, as applicable, in determining which bid or other expression of interest offers the best value, to evaluate the extent to which the proposal for providing services in languages other than English to persons

with limited English proficiency will provide meaningful access to the services for those persons.

(d) Requires an agency to consider certain factors set forth in this subsection in determining the extent to which a proposal will provide meaningful access under Subsection (c).

(e) Requires an agency to avoid selecting a contractor that the agency reasonably believes will provide information in languages other than English that is limited in scope, unreasonably delay the provision of information in languages other than English, or provide program information, including forms, notices, and correspondence, in English only.

(f) Provides that this section does not apply to 2-1-1 services provided by the Texas Information and Referral Network.

SECTION 2. (a) Defines “commission” and “health and human services agencies.”

(b) Provides that the changes in law made by this Act to the contracting procedures of HHSC and agencies apply only to a contract for which HHSC or an agency first advertises or otherwise solicits bids, proposals, offers, or qualifications, as applicable, on or after September 1, 2007.

(c) Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.