

By: Dukes

H.B. No. 665

A BILL TO BE ENTITLED

AN ACT

relating to the sharing of client information among certain state agencies.

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

SECTION 1. Subtitle B, Title 10, Government Code, is amended by adding Chapter 2060 to read as follows:

CHAPTER 2060. INTERAGENCY SHARING OF INFORMATION

Sec. 2060.001. DEFINITION. In this chapter, "participating agency" means:

- (1) the Health and Human Services Commission;
- (2) the Department of State Health Services;
- (3) the Department of Family and Protective Services;
- (4) the Department of Aging and Disability Services;
- (5) the Department of Assistive and Rehabilitative Services;
- (6) the Texas Department of Criminal Justice;
- (7) the Texas Workforce Commission;
- (8) the Texas Education Agency;
- (9) the Texas Juvenile Probation Commission;
- (10) the Texas Youth Commission;
- (11) the Office of Rural Community Affairs;
- (12) the Texas Veterans Commission; and
- (13) the Texas Department of Housing and Community Affairs.

1 Sec. 2060.002. SHARING OF INFORMATION AMONG CERTAIN
2 AGENCIES. (a) This section applies only to information held by or
3 for a participating agency that relates to an individual who
4 receives or has received social services, mental health services,
5 substance abuse services, or health services from that agency.

6 (b) The participating agencies shall coordinate the
7 agencies' information systems to allow for the sharing of
8 information to:

9 (1) facilitate the communication of the information
10 across agency lines and jurisdictional boundaries;

11 (2) identify and coordinate the provision of necessary
12 services to an individual; and

13 (3) evaluate programs to assess the overall efficiency
14 and efficacy of services delivered by the participating agencies.

15 (c) On request of the Interagency Coordinating Council for
16 Data Sharing or on its own initiative, a state agency not listed in
17 Section 2060.001 that funds, regulates, or provides a service
18 described by Subsection (a), or whose costs or outcome measures are
19 affected by the provision of any of those services, may choose to
20 coordinate its database and share information with the
21 participating agencies for the purposes authorized by this chapter.

22 (d) Confidential information shared under this section
23 remains subject to the same confidentiality requirements and legal
24 restrictions on access to the information that are imposed by law on
25 the state agency that originally obtained or collected the
26 information.

27 (e) Information may be shared under this section without the

1 consent of the person who is the subject of the information.

2 Sec. 2060.003. INTERAGENCY COORDINATING COUNCIL FOR DATA
3 SHARING. (a) The Interagency Coordinating Council for Data
4 Sharing is composed of:

5 (1) a public member with knowledge and expertise in
6 the provision or delivery of social services, mental health
7 services, substance abuse services, or health services, appointed
8 by the governor;

9 (2) the executive director of the Department of
10 Information Resources or that person's designee;

11 (3) the executive head of each of the participating
12 agencies or that person's designee; and

13 (4) the executive head of each state agency, if any,
14 that chooses to share information with the participating agencies
15 under Section 2060.002(c) or that person's designee.

16 (b) The public member of the council serves a two-year term
17 expiring February 1 of each odd-numbered year and serves as the
18 presiding officer of the council.

19 (c) The council shall meet at least quarterly at the call of
20 the presiding officer.

21 (d) Service on the council by a state officer or employee is
22 an additional duty of the member's office or employment. A member
23 of the council is not entitled to compensation for service on the
24 council but is entitled to reimbursement of travel expenses
25 incurred by the member while conducting the business of the
26 council, as provided by Chapter 660 and the General Appropriations
27 Act.

1 (e) The agencies represented on the council shall provide
2 the staff and administrative support necessary for the council to
3 perform its duties.

4 (f) The council shall adopt appropriate policies and
5 procedures designed to facilitate the interagency coordination of
6 information systems required by Section 2060.002, including the
7 creation of standards for sharing information electronically under
8 appropriate controls to ensure that confidential information
9 remains confidential. Each participating agency and each state
10 agency that chooses to share information under Section 2060.002(c)
11 shall comply with the policies and procedures adopted by the
12 council under this subsection.

13 (g) The presiding officer of the council may appoint
14 subcommittees consisting of members of the council for any purpose
15 consistent with the duties of the council under this section.

16 (h) Not later than October 1 of each even-numbered year,
17 each participating agency and each state agency that chooses to
18 share information under Section 2060.002(c) shall report to the
19 council regarding the agency's implementation of the policies and
20 procedures adopted under Subsection (f).

21 (i) A state agency shall cooperate with the council in the
22 performance of its duties.

23 Sec. 2060.004. REPORT TO LEGISLATURE. Not later than
24 December 1 of each even-numbered year, the Interagency Coordinating
25 Council for Data Sharing shall evaluate the efficiency and
26 effectiveness of the information sharing system established under
27 this chapter and report its findings to the legislature.

1 SECTION 2. This Act takes effect September 1, 2007.