

By: Dukes, Coleman

H.B. No. 1396

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the Office for the Elimination of Health Disparities  
3 and the health disparities task force.

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

5 SECTION 1. Subchapter G, Chapter 12, Health and Safety  
6 Code, is transferred to Subtitle E, Title 2, Health and Safety Code,  
7 redesignated as Chapter 107A, Health and Safety Code, and amended  
8 to read as follows:

9 CHAPTER 107A [~~SUBCHAPTER G~~]. OFFICE FOR THE ELIMINATION OF HEALTH  
10 DISPARITIES [~~OF MINORITY HEALTH~~]

11 Sec. 107A.001 [~~12.081~~]. OFFICE FOR THE ELIMINATION OF  
12 HEALTH DISPARITIES [~~OF MINORITY HEALTH~~]. The executive  
13 commissioner of the Health and Human Services Commission  
14 [~~department~~] shall [~~establish and~~] maintain an office for the  
15 elimination of health disparities [~~of minority health~~] in the  
16 Health and Human Services Commission [~~department~~] to:

17 (1) assume a leadership role in working or contracting  
18 with state and federal agencies, universities, private interest  
19 groups, communities, foundations, and offices of minority health to  
20 develop [~~minority~~] health initiatives to decrease or eliminate  
21 health and health access disparities among multicultural,  
22 disadvantaged, and regional populations, including appropriate  
23 language services [~~bilingual communications~~]; and

24 (2) maximize use of existing resources without

1 duplicating existing efforts.

2 Sec. 107A.002 [~~12.082~~]. POWERS OF OFFICE. The office may:

3 (1) provide a central information and referral source,  
4 including a clearinghouse for health disparities information, and  
5 serve as the primary state resource in coordinating, planning, and  
6 advocating access to [~~minority~~] health care services to eliminate  
7 health disparities in this state;

8 (2) coordinate conferences and other training  
9 opportunities to increase skills among state agencies and  
10 government staff in management and in the appreciation of cultural  
11 diversity;

12 (3) pursue and administer grant funds for innovative  
13 projects for communities, groups, and individuals;

14 (4) provide recommendations and training in improving  
15 minority recruitment in state agencies;

16 (5) publicize information regarding health  
17 disparities and minority health issues through the use of the  
18 media;

19 (6) network with existing minority organizations,  
20 community-based health groups, and statewide health coalitions;

21 (7) solicit, receive, and spend grants, gifts, and  
22 donations from public and private sources; and

23 (8) contract with public and private entities in the  
24 performance of its responsibilities.

25 Sec. 107A.003 [~~12.083~~]. FUNDING. The Health and Human  
26 Services Commission [~~department~~] may distribute to the office  
27 unobligated and unexpended appropriations to be used to carry out

1 its powers.

2 ~~[Sec. 12.084. REPORT TO LEGISLATURE. Not later than~~  
3 ~~January 1 of each odd-numbered year, the office shall submit a~~  
4 ~~biennial report to the legislature regarding the activities of the~~  
5 ~~office and any findings and recommendations relating to minority~~  
6 ~~health issues.]~~

7 SECTION 2. Sections 107.001 through 107.004 and 107.008,  
8 Health and Safety Code, are amended to read as follows:

9 Sec. 107.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

10 (1) "Commission" means the Health and Human Services  
11 Commission.

12 (2) "Executive commissioner" means the executive  
13 commissioner of the Health and Human Services Commission.

14 (3) "Health and human services agency" means a health  
15 and human services agency listed by Section 531.001, Government  
16 Code.

17 (4) "Task~~[, "task]~~ force" means the health disparities  
18 task force established under this chapter.

19 Sec. 107.002. PURPOSE. The purpose of the task force is to  
20 assist the commission [~~department~~] in accomplishing the following  
21 goals:

22 (1) to eliminate health and health access disparities  
23 in Texas among multicultural, disadvantaged, and regional  
24 populations; and

25 (2) to structure health and human services agency  
26 [~~reorganize department~~] programs to eliminate health and health  
27 access [~~those~~] disparities.

1           Sec. 107.003. DUTIES. (a) The task force shall:

2                   (1) investigate and report on issues related to health  
3 and health access disparities among multicultural, disadvantaged,  
4 and regional populations;

5                   (2) develop short-term and long-term strategies to  
6 eliminate health and health access disparities among  
7 multicultural, disadvantaged, and regional populations, with a  
8 focus on structuring health and human services agency [~~reorganizing~~  
9 ~~department~~] programs to eliminate those disparities;

10                  (3) monitor the progress of each health and human  
11 services agency [~~the department~~] in:

12                           (A) eliminating [~~the~~] health and health access  
13 disparities; and

14                           (B) structuring the agency's program activities  
15 [~~reorganizing department programs~~] to eliminate the disparities;  
16 and

17                   (4) advise each health and human services agency [~~the~~  
18 ~~department~~] on the implementation of any targeted programs or  
19 funding authorized by the legislature to address health and health  
20 access disparities.

21           (b) In performing the duties described in Subsection (a),  
22 the task force shall consult with each health and human services  
23 agency [~~the department~~], the Office for the Elimination of Health  
24 Disparities [~~of Minority Health and Cultural Competency, women's~~  
25 ~~health offices of the department~~], and any other relevant division  
26 of the commission [~~the department~~].

27           Sec. 107.004. REPORT. The task force shall submit a

1 biennial report on the progress of each health and human services  
2 agency [~~the department~~] in accomplishing the goals described by  
3 Section 107.002 to the governor, lieutenant governor, and speaker  
4 of the house of representatives. This report may be combined with  
5 any other report required of the commission [~~department~~] by law.

6 Sec. 107.008. PERSONNEL AND FACILITIES. The task force is  
7 administratively attached to the commission [~~department~~]. The  
8 commission [~~department~~] shall provide the necessary staff and  
9 facilities to assist the task force in performing its duties.

10 SECTION 3. The changes in law made by this Act do not affect  
11 the entitlement of a member serving on the health disparities task  
12 force immediately before the effective date of this Act to continue  
13 to carry out the task force's functions for the remainder of the  
14 member's term.

15 SECTION 4. (a) On January 1, 2008, or on an earlier date  
16 specified by the executive commissioner of the Health and Human  
17 Services Commission:

18 (1) the Department of State Health Services shall  
19 transfer any property, records, or personnel of the department  
20 related to the administration of the Office for the Elimination of  
21 Health Disparities, formerly known as the Office of Minority  
22 Health, or the health disparities task force to the Health and Human  
23 Services Commission to assist the commission to begin administering  
24 Chapter 107, Health and Safety Code, as amended by this Act, as  
25 efficiently as practicable;

26 (2) all powers, duties, functions, activities,  
27 obligations, rights, contracts, records, property, and

1 appropriations or other money of the Office for the Elimination of  
2 Health Disparities, formerly known as the Office of Minority  
3 Health, or the health disparities task force are transferred to the  
4 Health and Human Services Commission;

5 (3) a rule or form adopted by the Department of State  
6 Health Services that relates to the Office for the Elimination of  
7 Health Disparities, the Office of Minority Health, or the health  
8 disparities task force is a rule or form of the Health and Human  
9 Services Commission and remains in effect until altered by the  
10 commission; and

11 (4) a reference in law or an administrative rule to the  
12 Department of State Health Services that relates to the Office for  
13 the Elimination of Health Disparities, the Office of Minority  
14 Health, or the health disparities task force means the Health and  
15 Human Services Commission.

16 (b) The Health and Human Services Commission shall take all  
17 action necessary to provide for the transfer of the Office for  
18 Elimination of Health Disparities, formerly known as the Office of  
19 Minority Health, to the commission as soon as possible after the  
20 effective date of this Act but not later than January 1, 2008.

21 SECTION 5. This Act takes effect September 1, 2007.