

1-1 By: Dukes, Coleman (Senate Sponsor - Zaffirini) H.B. No. 1396
1-2 (In the Senate - Received from the House March 29, 2007;
1-3 April 3, 2007, read first time and referred to Committee on Health
1-4 and Human Services; May 4, 2007, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 8,
1-6 Nays 0; May 4, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1396 By: Zaffirini

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the Office for the Elimination of Health Disparities
1-11 and the health disparities task force.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter G, Chapter 12, Health and Safety
1-14 Code, is transferred to Subtitle E, Title 2, Health and Safety Code,
1-15 redesignated as Chapter 107A, Health and Safety Code, and amended
1-16 to read as follows:

1-17 CHAPTER 107A [SUBCHAPTER G]. OFFICE FOR THE ELIMINATION OF HEALTH
1-18 DISPARITIES [OF MINORITY HEALTH]

1-19 Sec. 107A.001 [~~12.081~~]. OFFICE FOR THE ELIMINATION OF
1-20 HEALTH DISPARITIES [OF MINORITY HEALTH]. The executive
1-21 commissioner of the Health and Human Services Commission
1-22 [department] shall [establish and] maintain an office for the
1-23 elimination of health disparities [of minority health] in the
1-24 Health and Human Services Commission [department] to:

1-25 (1) assume a leadership role in working or contracting
1-26 with state and federal agencies, universities, private interest
1-27 groups, communities, foundations, and offices of minority health to
1-28 develop [minority] health initiatives to decrease or eliminate
1-29 health and health access disparities among racial, multicultural,
1-30 disadvantaged, ethnic, and regional populations, including
1-31 appropriate language services [bilingual communications]; and

1-32 (2) maximize use of existing resources without
1-33 duplicating existing efforts.

1-34 Sec. 107A.002 [~~12.082~~]. POWERS OF OFFICE. The office may:

1-35 (1) provide a central information and referral source,
1-36 including a clearinghouse for health disparities information, and
1-37 serve as the primary state resource in coordinating, planning, and
1-38 advocating access to [minority] health care services to eliminate
1-39 health disparities in this state;

1-40 (2) coordinate conferences and other training
1-41 opportunities to increase skills among state agencies and
1-42 government staff in management and in the appreciation of cultural
1-43 diversity;

1-44 (3) pursue and administer grant funds for innovative
1-45 projects for communities, groups, and individuals;

1-46 (4) provide recommendations and training in improving
1-47 minority recruitment in state agencies;

1-48 (5) publicize information regarding health
1-49 disparities and minority health issues through the use of the
1-50 media;

1-51 (6) network with existing minority organizations,
1-52 community-based health groups, and statewide health coalitions;

1-53 (7) solicit, receive, and spend grants, gifts, and
1-54 donations from public and private sources; and

1-55 (8) contract with public and private entities in the
1-56 performance of its responsibilities.

1-57 Sec. 107A.003 [~~12.083~~]. FUNDING. The Health and Human
1-58 Services Commission [department] may distribute to the office
1-59 unobligated and unexpended appropriations to be used to carry out
1-60 its powers.

1-61 [~~Sec. 12.084. REPORT TO LEGISLATURE. Not later than~~
1-62 ~~January 1 of each odd-numbered year, the office shall submit a~~
1-63 ~~biennial report to the legislature regarding the activities of the~~

2-1 ~~office and any findings and recommendations relating to minority~~
2-2 ~~health issues.]~~

2-3 SECTION 2. Sections 107.001 through 107.004 and 107.008,
2-4 Health and Safety Code, are amended to read as follows:

2-5 Sec. 107.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

2-6 (1) "Commission" means the Health and Human Services
2-7 Commission.

2-8 (2) "Executive commissioner" means the executive
2-9 commissioner of the Health and Human Services Commission.

2-10 (3) "Health and human services agency" means a health
2-11 and human services agency listed by Section 531.001, Government
2-12 Code.

2-13 (4) "Task[~~,"task]~~ force" means the health disparities
2-14 task force established under this chapter.

2-15 Sec. 107.002. PURPOSE. The purpose of the task force is to
2-16 assist the commission [~~department~~] in accomplishing the following
2-17 goals:

2-18 (1) to eliminate health and health access disparities
2-19 in Texas among racial, multicultural, disadvantaged, ethnic, and
2-20 regional populations; and

2-21 (2) to structure health and human services agency
2-22 [~~reorganize department~~] programs to eliminate health and health
2-23 access [~~those~~] disparities.

2-24 Sec. 107.003. DUTIES. (a) The task force shall:

2-25 (1) investigate and report on issues related to health
2-26 and health access disparities among racial, multicultural,
2-27 disadvantaged, ethnic, and regional populations;

2-28 (2) develop short-term and long-term strategies to
2-29 eliminate health and health access disparities among racial,
2-30 multicultural, disadvantaged, ethnic, and regional populations,
2-31 with a focus on structuring health and human services agency
2-32 [~~reorganizing department~~] programs to eliminate those disparities;

2-33 (3) monitor the progress of each health and human
2-34 services agency [~~the department~~] in:

2-35 (A) eliminating [~~the~~] health and health access
2-36 disparities; and

2-37 (B) structuring the agency's program activities
2-38 [~~reorganizing department programs~~] to eliminate the disparities;
2-39 and

2-40 (4) advise each health and human services agency [~~the~~
2-41 ~~department~~] on the implementation of any targeted programs or
2-42 funding authorized by the legislature to address health and health
2-43 access disparities.

2-44 (b) In performing the duties described in Subsection (a),
2-45 the task force shall consult with each health and human services
2-46 agency [~~the department~~], the Office for the Elimination of Health
2-47 Disparities [~~of Minority Health and Cultural Competency, women's~~
2-48 ~~health offices of the department~~], and any other relevant division
2-49 of the commission [~~the department~~].

2-50 Sec. 107.004. REPORT. The task force shall submit a
2-51 biennial report on the progress of each health and human services
2-52 agency [~~the department~~] in accomplishing the goals described by
2-53 Section 107.002 to the governor, lieutenant governor, and speaker
2-54 of the house of representatives. This report may be combined with
2-55 any other report required of the commission [~~department~~] by law.

2-56 Sec. 107.008. PERSONNEL AND FACILITIES. The task force is
2-57 administratively attached to the commission [~~department~~]. The
2-58 commission [~~department~~] shall provide the necessary staff and
2-59 facilities to assist the task force in performing its duties.

2-60 SECTION 3. The changes in law made by this Act do not affect
2-61 the entitlement of a member serving on the health disparities task
2-62 force immediately before the effective date of this Act to continue
2-63 to carry out the task force's functions for the remainder of the
2-64 member's term.

2-65 SECTION 4. (a) On January 1, 2008, or on an earlier date
2-66 specified by the executive commissioner of the Health and Human
2-67 Services Commission:

2-68 (1) the Department of State Health Services shall
2-69 transfer any property, records, or personnel of the department

3-1 related to the administration of the Office for the Elimination of
3-2 Health Disparities, formerly known as the Office of Minority
3-3 Health, or the health disparities task force to the Health and Human
3-4 Services Commission to assist the commission to begin administering
3-5 Chapter 107, Health and Safety Code, as amended by this Act, as
3-6 efficiently as practicable;

3-7 (2) all powers, duties, functions, activities,
3-8 obligations, rights, contracts, records, property, and
3-9 appropriations or other money of the Office for the Elimination of
3-10 Health Disparities, formerly known as the Office of Minority
3-11 Health, or the health disparities task force are transferred to the
3-12 Health and Human Services Commission;

3-13 (3) a rule or form adopted by the Department of State
3-14 Health Services that relates to the Office for the Elimination of
3-15 Health Disparities, the Office of Minority Health, or the health
3-16 disparities task force is a rule or form of the Health and Human
3-17 Services Commission and remains in effect until altered by the
3-18 commission; and

3-19 (4) a reference in law or an administrative rule to the
3-20 Department of State Health Services that relates to the Office for
3-21 the Elimination of Health Disparities, the Office of Minority
3-22 Health, or the health disparities task force means the Health and
3-23 Human Services Commission.

3-24 (b) The Health and Human Services Commission shall take all
3-25 action necessary to provide for the transfer of the Office for
3-26 Elimination of Health Disparities, formerly known as the Office of
3-27 Minority Health, to the commission as soon as possible after the
3-28 effective date of this Act but not later than January 1, 2008.

3-29 SECTION 5. This Act takes effect September 1, 2007.

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