

By: Kolkhorst

H.B. No. 2554

A BILL TO BE ENTITLED

AN ACT

relating to the organization and employees of the Department of
Aging and Disability Services.

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

SECTION 1. Subchapter C, Chapter 161, Human Resources Code,
is amended by adding Section 161.0515 to read as follows:

Sec. 161.0515. ASSISTANT COMMISSIONER OF STATE SCHOOLS.

(a) Subject to the approval of the executive commissioner, the
commissioner shall employ an assistant commissioner of state
schools. The assistant commissioner is to be selected according to
education, training, experience, and demonstrated ability.

(b) The assistant commissioner reports directly to the
commissioner.

(c) The assistant commissioner shall supervise the
operation of the state schools. As part of that duty, the assistant
commissioner shall:

(1) verify the availability of space at state schools;

(2) verify and certify employee qualifications for
state school employees;

(3) verify that quality health and medical services
are being provided in state schools; and

(4) work with the commissioner to create
administrative guidelines for proper implementation of statutory
law and judicial decisions.

1 SECTION 2. Section 533.035, Health and Safety Code, is
2 amended by adding Subsection (a-1) to read as follows:

3 (a-1) If there is a state school in the service area of a
4 local mental retardation authority, the superintendent of that
5 facility is an ex officio voting member of the authority's
6 governing board.

7 SECTION 3. Subchapter B, Chapter 551, Health and Safety
8 Code, is amended by adding Section 551.023 to read as follows:

9 Sec. 551.023. SUPERINTENDENT OF STATE SCHOOL. (a) The
10 superintendent of a state school reports directly to the assistant
11 commissioner of state schools.

12 (b) The superintendent of a state school shall serve as a
13 member of any interdisciplinary team that assesses whether a
14 client who does not have a guardian may or should be removed from
15 the facility.

16 SECTION 4. The commissioner of the Department of Aging and
17 Disability Services shall employ an assistant commissioner of state
18 schools as soon as possible after the effective date of this Act. On
19 the date the assistant commissioner is employed, the position of
20 section director over state schools is eliminated.

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