

By: Deuell

S.B. No. 1142

A BILL TO BE ENTITLED

AN ACT

relating to an audit of health and human services information technology systems.

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

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter M to read as follows:

SUBCHAPTER M. AUDIT OF HEALTH AND HUMAN SERVICES

INFORMATION TECHNOLOGY SYSTEMS

Sec. 531.451. DEFINITION. In this subchapter, "system" means an information technology and data processing system used in the delivery of health and human services benefit programs, including:

(1) the Texas Integrated Eligibility Redesign System (TIERS); and

(2) the System of Application, Verification, Eligibility, Referral, and Reporting (SAVERR).

Sec. 531.452. AUDIT BY STATE AUDITOR. The state auditor shall conduct an audit of the information technology and data processing systems, including the Texas Integrated Eligibility Redesign System (TIERS) and the System of Application, Verification, Eligibility, Referral, and Reporting (SAVERR), used to support eligibility and program delivery of health and human services benefit programs.

Sec. 531.453. PERSONNEL; CONSULTING SERVICES. The state

1 auditor may:

- 2 (1) use personnel from the state auditor's office; or
3 (2) contract for consulting services as necessary to
4 accomplish the purposes of this subchapter.

5 Sec. 531.454. CONDUCT OF AUDITS. In conducting an audit of a
6 system under this subchapter, the state auditor shall:

- 7 (1) seek and accept comments from users of the system,
8 including individuals who receive eligibility and other
9 information from applicants for and participants in the health and
10 human services benefit programs, and other interested parties; and
11 (2) consider the comments received in making
12 recommendations under this subchapter.

13 Sec. 531.455. AUDIT DETERMINATIONS AND RECOMMENDATIONS.
14 For each system audited, the state auditor shall:

- 15 (1) determine the current functionality of the system
16 relative to the needs of the users of the system;
17 (2) if the system is not fully functional, determine
18 whether the system can be made fully functional with reasonable
19 efforts; and
20 (3) if the system can be made fully functional,
21 recommend a course of action to achieve full functionality.

22 Sec. 531.456. INTERIM RECOMMENDATIONS. (a) Not later than
23 December 31, 2007, the state auditor shall make interim
24 recommendations on whether new health and human services benefit
25 program cases should be entered or converted into the Texas
26 Integrated Eligibility Redesign System (TIERS) to:

- 27 (1) the presiding officer of the Senate Health and

1 Human Services Committee;

2 (2) the presiding officer of the House Human Services
3 Committee;

4 (3) the governor; and

5 (4) the executive commissioner.

6 (b) The state auditor shall base any recommendation to
7 resume entering or converting new health and human services benefit
8 program cases into the Texas Integrated Eligibility Redesign System
9 (TIERS), except as provided by Section 531.459(c), on:

10 (1) a determination that the system's functionality is
11 at or above January 2004 performance levels for health and human
12 services benefit program cases in the system; and

13 (2) a reasonable expectation that the Texas Integrated
14 Eligibility Redesign System (TIERS) will be considered the best
15 system for health and human services benefit program information
16 technology.

17 Sec. 531.457. REPORT OF FINDINGS AND RECOMMENDATIONS. (a)
18 Not later than July 1, 2008, the state auditor shall issue a final
19 report on the audit of each system to:

20 (1) the presiding officer of the Senate Health and
21 Human Services Committee;

22 (2) the presiding officer of the House Human Services
23 Committee;

24 (3) the governor; and

25 (4) the executive commissioner.

26 (b) The report must:

27 (1) determine whether each system audited is fully

1 functional in its current state;

2 (2) if neither system audited is fully functional but
3 may be made fully functional with reasonable efforts, determine
4 which system can be made fully functional in the shortest amount of
5 time and in the most cost-effective manner;

6 (3) if both systems audited can be made fully
7 functional with reasonable efforts, recommend a course of action
8 for bringing each system to its full functionality in the shortest
9 amount of time and in the most cost-effective manner; and

10 (4) if neither of the systems audited can be made fully
11 functional with reasonable efforts, recommend actions this state
12 should pursue to install a fully functional system.

13 Sec. 531.458. PUBLIC HEARINGS. (a) The presiding officers
14 of the Senate Health and Human Services Committee and the House
15 Human Services Committee shall arrange not less than five public
16 hearings to present the findings of the state auditor and accept
17 testimony from all interested parties.

18 (b) The state auditor shall release to the public the
19 findings of the audit conducted under this subchapter not later
20 than the 30th day before the date of the first hearing.

21 (c) The commission shall publicize the hearings and make
22 information on the hearings available to individuals who receive
23 eligibility and other information from applicants and participants
24 in the health and human services benefit programs.

25 (d) Not more than one of the public hearings may be held in
26 Austin. At least four hearings must be held in locations
27 geographically distributed throughout this state.

1 Sec. 531.459. EXPANSION OF SYSTEM SUSPENDED. (a) Except as
2 provided by Subsection (b), the commission may not expand the Texas
3 Integrated Eligibility Redesign System (TIERS) by adding new health
4 and human services benefit program cases until the commission:

5 (1) reviews the state auditor's report on the audit of
6 the system under this subchapter; and

7 (2) complies with any recommendations in the report.

8 (b) The executive commissioner shall suspend all entry of
9 new health and human services benefit program cases or conversion
10 of existing cases into the Texas Integrated Eligibility Redesign
11 System (TIERS) for cases occurring in any county, other than a
12 county using that system to enter cases before September 1, 2007,
13 until the system meets the performance levels demonstrated by the
14 statewide system in January 2004.

15 (c) Counties that before September 1, 2007, used the Texas
16 Integrated Eligibility Redesign System (TIERS) to enter health and
17 human services benefit program cases shall continue to use that
18 system.

19 (d) Cases currently in the Texas Integrated Eligibility
20 Redesign System (TIERS) shall remain in the system.

21 (e) Entry or conversion of health and human services benefit
22 program cases into the Texas Integrated Eligibility Redesign System
23 (TIERS) may be resumed by counties not included under Subsection
24 (c) on acceptance by the presiding officers of the Senate Health and
25 Human Services Committee and the House Human Services Committee of
26 determinations by the state auditor that the system's functionality
27 is at January 2004 performance levels for cases in the system and

1 that there is a reasonable expectation that the Texas Integrated
2 Eligibility Redesign System (TIERS) will be adopted as the final
3 health and human services information system.

4 Sec. 531.460. EXPIRATION. This subchapter expires January
5 1, 2009.

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