

SENATE AMENDMENTS

2nd Printing

By: Latham

H.B. No. 2667

A BILL TO BE ENTITLED

AN ACT

relating to certain insurance-related matters involving rural volunteer firefighters, volunteer police force members, or emergency services districts.

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

SECTION 1. Section 614.072(b), Government Code, is amended to read as follows:

(b) The director may adopt rules necessary to assist rural volunteer fire departments in the payment of:

(1) workers' compensation insurance;

(2) audit costs for workers' compensation claims in any year in which there is an abnormally high number of wildfires;

and

(3) accidental death and disability insurance.

SECTION 2. Chapter 614, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. INSURANCE COVERAGE REQUIRED FOR

VOLUNTEER POLICE FORCE MEMBERS

Sec. 614.121. DEFINITION. In this subchapter, "volunteer police force member" means:

(1) a person summoned under Section 341.011, Local Government Code, to serve on a special police force;

(2) a police reserve force member appointed under Section 341.012, Local Government Code; and

1 (3) any other person assigned by a state agency or
2 political subdivision to perform, without compensation, any duties
3 typically performed by a peace officer.

4 Sec. 614.122. INSURANCE COVERAGE REQUIRED. Each volunteer
5 police force member must be insured by the applicable state agency
6 or political subdivision against any injury suffered by the police
7 force member in the course and scope of performing the person's
8 assigned duties at the request of or under a contract with a state
9 agency or political subdivision.

10 SECTION 3. Section 775.084(i), Health and Safety Code, is
11 amended to read as follows:

12 (i) This section does not apply to:

- 13 (1) the purchase or lease of real property;
- 14 (2) an item or service that the board determines can be
15 obtained from only one source;
- 16 (3) a contract for fire extinguishment and suppression
17 services, emergency rescue services, or ambulance services;
- 18 (4) an emergency expenditure;
- 19 (5) the purchase of vehicle fuel; [~~or~~]
- 20 (6) the purchase of firefighter bunker gear;
- 21 (7) the purchase of insurance coverage; or
- 22 (8) repairs funded by a payment made under an
23 insurance claim.

24 SECTION 4. Subchapter H, Chapter 614, Government Code, as
25 added by this Act, applies only to a volunteer police force member
26 performing assigned duties on or after January 1, 2008.

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

on 3rd

ADOPTED

FLOOR AMENDMENT NO. 1

MAY 23 2007

Atay Spaw
Secretary of the Senate

BY: *Jane Nelson*

1 Amend House Bill 2667 (Senate committee printing) by adding
2 the following appropriately numbered SECTION and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Chapter 487, Government Code, is amended by
5 adding Subchapter P to read as follows:

6 SUBCHAPTER P. RURAL PHYSICIAN AND DENTIST LOAN REPAYMENT
7 PROGRAM

8 Sec. 487.701. DEFINITION. In this subchapter, "rural
9 medically or dentally underserved area" means a predominantly
10 rural geographic area in this state that the office by rule
11 designates as being underserved with respect to available
12 medical or dental care.

13 Sec. 487.702. LOAN REPAYMENT PROGRAM. In accordance with
14 this subchapter and rules adopted by the executive committee,
15 the office shall establish and administer a program to provide
16 loan repayment assistance to physicians and dentists who agree
17 to:

18 (1) practice medicine or dentistry, as applicable, in
19 a rural medically or dentally underserved area; and

20 (2) provide medical or dental services, as
21 applicable, in that area to children who are recipients under
22 the medical assistance program operated under Chapter 32, Human
23 Resources Code.

24 Sec. 487.703. ELIGIBILITY. To be eligible to receive loan
25 repayment assistance under this subchapter, a physician or
26 dentist must:

27 (1) apply to the office;

28 (2) be licensed to practice medicine or dentistry, as
29 applicable, in this state; and

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1 (3) enter into an agreement with the office as
2 provided by Section 487.705.

3 Sec. 487.704. ELIGIBLE LOANS. (a) The office may provide
4 repayment assistance for the repayment of any education loan
5 received by the physician or dentist through any lender for
6 education at any medical or dental school authorized by the
7 Texas Higher Education Coordinating Board to award a degree that
8 satisfies the medical or dental study requirements for licensure
9 as a physician or dentist in this state.

10 (b) The office may not provide repayment assistance for an
11 education loan that is in default at the time of the physician's
12 or dentist's application.

13 Sec. 487.705. AGREEMENT REQUIREMENTS. (a) To qualify for
14 loan repayment assistance under this section, a person must
15 enter into a written agreement with the office as provided by
16 this section. The agreement must:

17 (1) specify the conditions the person must satisfy to
18 receive repayment assistance;

19 (2) require the person to practice medicine or
20 dentistry for at least three years in a rural medically or
21 dentally underserved area and to provide medical or dental
22 services, as applicable, in that area during that period to
23 children who are recipients under the medical assistance program
24 operated under Chapter 32, Human Resources Code;

25 (3) provide that any repayment assistance the person
26 receives under this subchapter constitutes a loan until the
27 person completes the three years of practice and satisfies other
28 applicable conditions of the agreement; and

29 (4) require the person to sign a promissory note
30 acknowledging the conditional nature of the repayment assistance
31 received and promising to repay the amount of that assistance

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1 plus applicable interest and reasonable collection costs if the
2 person does not satisfy the applicable conditions.

3 (b) The office shall determine the terms of the promissory
4 note required by Subsection (a)(4). To the extent practicable,
5 the terms must be the same as those applicable to state or
6 federally guaranteed student loans made at the same time.

7 (c) The Health and Human Services Commission shall provide
8 any information requested by the office necessary for the office
9 to confirm a physician's or dentist's compliance with the
10 requirement under Subsection (a)(2) that the physician or
11 dentist provide services to children who are recipients of the
12 medical assistance program operated under Chapter 32, Human
13 Resources Code.

14 Sec. 487.706. REPAYMENT. (a) The office shall deliver
15 any repayment assistance made under this subchapter in a lump
16 sum payable to the lender and the physician or dentist, as
17 applicable, and in accordance with any applicable federal law.

18 (b) Loan repayment assistance received under this
19 subchapter may be applied to the principal amount of the loan
20 and to interest that accrues.

21 Sec. 487.707. GRANTS, GIFTS, AND DONATIONS. In addition
22 to funds appropriated by the legislature, the office may solicit
23 and accept grants, gifts, and donations from any public or
24 private source for the purposes of this subchapter.

25 Sec. 487.708. RULES. (a) The executive committee shall
26 adopt rules necessary to administer this subchapter.

27 (b) The office shall distribute to each medical or dental
28 school of a public or private institution of higher education in
29 this state a copy of the rules adopted under this section.

on 3rd

ADOPTED

FLOOR AMENDMENT NO. 2

MAY 23 2007

BY:

Atay Spaw
Secretary of the Senate

Jane Nelson

1 Amend House Bill 2667 (Senate committee printing) by adding
2 the following appropriately numbered SECTIONS and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter A, Chapter 156, Occupations Code,
5 is amended by adding Section 156.006 to read as follows:

6 Sec. 156.006. EMERGENCY CONTACT INFORMATION. (a) Each
7 license holder shall submit to the board telephone numbers, fax
8 numbers, and e-mail addresses, if available and as appropriate,
9 that the board may use to contact the license holder in an
10 emergency.

11 (b) A license holder who receives an initial registration
12 permit shall provide the information required under Subsection
13 (a) not later than the 30th day after the date the permit is
14 issued. Each license holder who applies to renew a registration
15 permit shall submit the information required under Subsection
16 (a) with the renewal application.

17 (c) A license holder shall report to the board any change
18 in the information required under Subsection (a) not later than
19 the 45th day after the date of the change.

20 (d) The information provided by a license holder under
21 this section is confidential and is not subject to disclosure
22 under Chapter 552, Government Code. The board may not publish,
23 release, or make available information provided by a license
24 holder under this section except as provided by Subsection (e).

25 (e) In the event of a public health emergency declared or
26 invoked by the governor, the Department of State Health
27 Services, or a federal agency, the board may publish, release,
28 or make available information provided by a license holder under
29 this section for the sole purpose of disseminating information

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1 to:

2 (1) a license holder;

3 (2) a designated city, county, state, or federal
4 public health or emergency management official; or

5 (3) the Federation of State Medical Boards.

6 SECTION _____. (a) Not later than December 1, 2007, each
7 person who holds a license to practice medicine under Chapter
8 155, Occupations Code, shall submit to the Texas Medical Board
9 telephone numbers, fax numbers, and e-mail addresses, if
10 available and as appropriate, that the board may use to contact
11 the license holder in an emergency.

12 (b) The information provided by a license holder under
13 this section is confidential and is not subject to disclosure
14 under Chapter 552, Government Code. The Texas Medical Board may
15 not publish, release, or make available information provided by
16 a license holder under this section except as provided by this
17 subsection.

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ADOPTED

COMMITTEE AMENDMENT NO. 1

MAY 23 2007

BY: 


Secretary of the Senate

1 Amend H.B. No. 2667 (House Engrossment Version) in SECTION
2 2 of the bill as follows:

3 (1) In added Section 614.122, Government Code (page 2, line
4 4), between the period and "Each", insert "(a)".

5 (2) In added Section 614.122, Government Code (page 2, line
6 5), between "insured" and "by", insert "or covered".

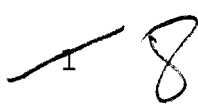
7 (3) At the end of added Section 614.122, Government Code
8 (page 2, between lines 9 and 10), insert the following:

9 (b) The applicable state agency or political subdivision
10 may satisfy the requirements of Subsection (a) by:

11 (1) providing insurance coverage; or

12 (2) entering into an interlocal agreement with another

13 political subdivision providing for self-insurance.



LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 18, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2667 by Latham (Relating to certain insurance-related matters involving rural volunteer firefighters, volunteer police force members, or emergency services districts.), **Committee Report 2nd House, As Amended**

State agencies may incur additional costs for private insurance premiums for peace officers in the event a conforming policy or special endorsement were developed in the market. The impact would vary, depending on the number of volunteer peace officers who would be eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the state or passed on to the insured; therefore, costs cannot be estimated.

The bill would amend the Government Code to authorize the director of the Texas Forest Service to adopt rules to assist rural volunteer fire departments in the payment of audit costs for workers' compensation claims in any year in which there is an abnormally high number of wildfires.

The bill would add Subchapter H to Chapter 614, Government Code, to require the applicable state agency or political subdivision to provide insurance coverage for volunteer police members. The coverage could be provided by the applicable state agency or political subdivision or through an interlocal agreement with another political subdivision providing for self-insurance. The addition of Subchapter H would apply only to a volunteer police force member performing assigned duties on or after January 1, 2008.

The bill would amend the Health and Safety Code to specify that competitive bidding is not required for the purchase by an emergency services district of insurance coverage or repairs funded by a payment made under an insurance claim.

The bill would take effect September 1, 2007.

It is anticipated that the Texas Forest Service could implement provisions of the bill that are applicable to the agency utilizing existing resources.

According to the State Office of Risk Management (SORM), volunteers under the direction of an officer or employee of the state are currently covered for workers' compensation medical benefits under Section 501.026, Texas Labor Code, in the event of an injury sustained when a declaration of disaster has been issued pursuant to Chapter 418, Government Code. The bill would not expand the authority of SORM or the scope of the state employee workers' compensation insurance program coverage administered by SORM pursuant to Chapters 412 and 501, Texas Labor Code. Therefore, SORM indicates that agencies or political subdivisions may be required to obtain separate insurance specified by the bill. SORM is unable to identify a separate insurance model for coverage of an unknown or non-declared population currently in existence.

Local Government Impact

The fiscal impact to local governments for implementing Subchapter H would vary depending on whether the entity is or is not self-insured, the number of volunteer police members who would be

eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the local governmental entity or passed on to the insured.

It is anticipated that the other provisions of the bill that would affect local government entities would not have a significant fiscal impact.

Source Agencies: 479 State Office of Risk Management, 576 Texas Forest Service

LBB Staff: JOB, KJG, MS, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 16, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2667** by Latham (Relating to certain insurance-related matters involving rural volunteer firefighters, volunteer police force members, or emergency services districts.), **As Engrossed**

State agencies may incur additional costs for private insurance premiums for peace officers in the event a conforming policy or special endorsement were developed in the market. The impact would vary, depending on the number of volunteer peace officers who would be eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the state or passed on to the insured; therefore, costs cannot be estimated.

The bill would amend the Government Code to authorize the director of the Texas Forest Service to adopt rules to assist rural volunteer fire departments in the payment of audit costs for workers' compensation claims in any year in which there is an abnormally high number of wildfires.

The bill would add Subchapter H to Chapter 614, Government Code, to require the applicable state agency or political subdivision to provide insurance coverage for volunteer police members. The addition of Subchapter H would apply only to a volunteer police force member performing assigned duties on or after January 1, 2008. The bill would amend the Health and Safety Code to specify that competitive bidding is not required for the purchase by an emergency services district of insurance coverage or repairs funded by a payment made under an insurance claim.

The bill would take effect September 1, 2007.

It is anticipated that the Texas Forest Service could implement provisions of the bill that are applicable to the agency utilizing existing resources.

According to the State Office of Risk Management (SORM), volunteers under the direction of an officer or employee of the state are currently covered for workers' compensation medical benefits under Section 501.026, Texas Labor Code, in the event of an injury sustained when a declaration of disaster has been issued pursuant to Chapter 418, Government Code. The bill would not expand the authority of SORM or the scope of the state employee workers' compensation insurance program coverage administered by SORM pursuant to Chapters 412 and 501, Texas Labor Code. Therefore, SORM indicates that agencies or political subdivisions may be required to obtain separate insurance specified by the bill. SORM is unable to identify a separate insurance model for coverage of an unknown or non-declared population currently in existence.

Local Government Impact

The fiscal impact to local governments for implementing Subchapter H would vary depending on whether the entity is or is not self-insured, the number of volunteer police members who would be eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the local governmental entity or passed on to the insured.

It is anticipated that the other provisions of the bill that would affect local government entities would not have a significant fiscal impact.

Source Agencies: 479 State Office of Risk Management, 576 Texas Forest Service

LBB Staff: JOB, KJG, MS, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 11, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2667** by Latham (Relating to certain insurance-related matters involving rural volunteer firefighters, volunteer police force members, or emergency services districts.), **Committee Report 1st House, Substituted**

State agencies may incur additional costs for private insurance premiums for peace officers in the event a conforming policy or special endorsement were developed in the market. The impact would vary, depending on the number of volunteer peace officers who would be eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the state or passed on to the insured; therefore, costs cannot be estimated.

The bill would amend the Government Code to authorize the director of the Texas Forest Service to adopt rules to assist rural volunteer fire departments in the payment of audit costs for workers' compensation claims in any year in which there is an abnormally high number of wildfires.

The bill would add Subchapter H to Chapter 614, Government Code, to require the applicable state agency or political subdivision to provide insurance coverage for volunteer police members. The addition of Subchapter H would apply only to a volunteer police force member performing assigned duties on or after January 1, 2008.

The bill would amend the Health and Safety Code to specify that competitive bidding is not required for the purchase by an emergency services district of insurance coverage or repairs funded by a payment made under an insurance claim.

The bill would take effect September 1, 2007.

It is anticipated that the Texas Forest Service could implement provisions of the bill that are applicable to the agency utilizing existing resources.

According to the State Office of Risk Management (SORM), volunteers under the direction of an officer or employee of the state are currently covered for workers' compensation medical benefits under Section 501.026, Texas Labor Code, in the event of an injury sustained when a declaration of disaster has been issued pursuant to Chapter 418, Government Code. The bill would not expand the authority of SORM or the scope of the state employee workers' compensation insurance program coverage administered by SORM pursuant to Chapters 412 and 501, Texas Labor Code. Therefore, SORM indicates that agencies or political subdivisions may be required to obtain separate insurance specified by the bill. SORM is unable to identify a separate insurance model for coverage of an unknown or non-declared population currently in existence.

Local Government Impact

The fiscal impact to local governments for implementing Subchapter H would vary depending on whether the entity is or is not self-insured, the number of volunteer police members who would be eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the local governmental entity or passed on to the insured.

It is anticipated that the other provisions of the bill that would affect local government entities would not have a significant fiscal impact.

Source Agencies: 479 State Office of Risk Management, 576 Texas Forest Service

LBB Staff: JOB, MS, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 3, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2667 by Latham (Relating to insurance coverage for volunteer firefighters and volunteer police force members.), **As Introduced**

The fiscal impact to state agencies would vary depending on the number of volunteer firefighters and volunteer police members who would be eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the state or passed on to the insured; therefore, the costs cannot be estimated.

The bill would add Subchapter H to Chapter 614 of the Government Code to require the applicable state agency or political subdivision to provide insurance coverage for volunteer firefighters and volunteer police members. Provisions of the bill would apply only to volunteer firefighters and police members performing assigned duties on or after January 1, 2008.

The bill would take effect September 1, 2007.

According to the State Office of Risk Management (SORM), volunteers under the direction of an officer or employee of the state are currently covered for workers' compensation medical benefits under Section 501.026, Texas Labor Code, in the event of an injury sustained when a declaration of disaster has been issued pursuant to Chapter 418, Government Code. The bill would not expand the authority of SORM or the scope of the state employee workers' compensation insurance program coverage administered by SORM pursuant to Chapters 412 and 501, Texas Labor Code. Therefore, SORM indicates that agencies or political subdivisions may be required to obtain separate insurance specified by the bill. SORM is unable to identify a separate insurance model for coverage of an unknown or non-declared population currently in existence.

According to the Department of Public Safety, in many cases, the volunteer organizations are covered under grants by the Texas Forest Service for the purchase of insurance.

Local Government Impact

The fiscal impact to local governments would vary depending on whether the entity is or is not self-insured, the number of volunteer firefighters and volunteer police members who would be eligible for coverage, the level of coverage provided, and the costs of premiums and how much of those costs would be paid by the local governmental entity or passed on to the insured.

According to the Texas Association of Counties (TAC), there would be no significant fiscal impact to large counties that are self-insured; however, the fiscal impact to small counties that are not covered in a designated self-insured pool is expected to be significant. It is assumed that similar impacts would apply to other local governmental entities that use the services of volunteer firefighters and police members.

Source Agencies: 302 Office of the Attorney General, 405 Department of Public Safety, 454 Department of Insurance, 479 State Office of Risk Management

LBB Staff: JOB, SD, MS, DB