

BILL ANALYSIS

S.B. 1877
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 758, 80th Legislature, Regular Session, 2007, created the committee on pediatric centers of excellence relating to abuse and neglect. This committee included representatives from the attorney general's office, the Health and Human Services Commission, the Department of Family and Protective Services (DFPS), the Department of State Health Services (DSHS), child advocacy centers, pediatricians, children's hospitals, and certain medical schools. S.B. 1877 will implement the committee's recommendations and provide the framework for regional pediatric centers of family and protective services that will provide medical expertise, assist DFPS in interpreting medical findings in cases of abuse and neglect, and develop best practices in this emerging field of medicine.

S.B. 1877 requires DSHS to establish the Texas Medical Child Abuse Resources and Education System (MEDCARES) grant program to award grants for the purpose of developing and supporting regional programs to improve the assessment, diagnosis, and treatment of child abuse and neglect. The bill provides that DSHS is not required to award a grant unless specifically appropriated money for the program.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

S.B. 1877 amends the Health and Safety Code to require the Department of State Health Services (DSHS) to establish the Texas Medical Child Abuse Resources and Education System (MEDCARES) grant program to award grants for the purpose of developing and supporting regional programs to improve the assessment, diagnosis, and treatment of child abuse and neglect as described by the report submitted to the 80th Legislature by the committee on pediatric centers of excellence relating to abuse and neglect. The bill authorizes DSHS to award grants to hospitals or academic health centers with expertise in pediatric health care and a demonstrated commitment to developing basic and advanced programs and centers of excellence for the assessment, diagnosis, and treatment of child abuse and neglect. The bill requires DSHS to encourage collaboration among grant recipients in the development of program services and activities. The bill establishes the purposes for which a grant may be used.

S.B. 1877 requires the executive commissioner of the Health and Human Services Commission (HHSC) to establish a nine member advisory committee to advise DSHS and the executive commissioner in establishing rules and priorities for the use of grant funds awarded through the program. The bill provides for the composition of the advisory committee and requires the executive commissioner of HHSC, not later than November 1, 2009, to appoint the members of the advisory committee. The bill authorizes DSHS to solicit and accept gifts, grants, and donations from any public or private source for the grant program. The bill requires DSHS, with the assistance of the advisory committee, not later than December 1 of each even-numbered year,

to submit a report to the governor and the legislature regarding the grant activities of the program and grant recipients. The bill authorizes the executive commissioner of HHSC to adopt rules as necessary to implement the bill's provisions. The bill provides that DSHS is not required to award a grant unless DSHS is specifically appropriated money for the purposes of the grant program.

S.B. 1877 requires DSHS to establish and implement the grant program not later than January 1, 2010, and to submit the initial biennial report to the governor and legislature not later than December 1, 2010.

S.B. 1877 requires a state agency that is affected by a provision of the bill to request a federal waiver or authorization if the agency determines that a waiver or authorization is necessary for the implementation of the provision, and it authorizes the agency to delay implementation until the federal waiver or authorization is obtained.

S.B. 1877 clarifies that its provisions do not make an appropriation and only take effect if a specific appropriation for the implementation of its provisions is provided in a general appropriations act of the 81st Legislature.

EFFECTIVE DATE

Except as provided, September 1, 2009.