

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1877
By: Nelson et al.
Health & Human Services
4/8/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 80th Legislature, Regular Session, 2007, S.B. 758 authored by Senator Nelson created the Committee on Pediatric Centers of Excellence Relating to Abuse and Neglect. This committee included representatives from the Office of the Attorney General, 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. This bill 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.

C.S.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. This bill provides that DSHS is not required to award a grant unless specifically appropriated money for MEDCARES.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 1001.156, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 1001, Health and Safety Code, by adding Subchapter F, as follows:

SUBCHAPTER F. TEXAS MEDICAL CHILD ABUSE RESOURCES AND EDUCATION SYSTEM (MEDCARES)

Sec. 1001.151. TEXAS MEDICAL CHILD ABUSE RESOURCES AND EDUCATION SYSTEM GRANT PROGRAM. (a) Requires 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 in accordance with Section 266.0031 (Committee on Pediatric Centers of Excellence Relating to Abuse and Neglect), Family Code, as added by Chapter 1406 (S.B. 758), Acts of the 80th Legislature, Regular Session, 2007.

(b) 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.

(c) Requires DSHS to encourage collaboration among grant recipients in the development of program services and activities.

Sec. 1001.152. USE OF GRANT. Authorizes a grant awarded under this subchapter to be used to support certain necessary activities.

Sec. 1001.153. MEDCARES ADVISORY COMMITTEE. Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) to establish an advisory committee to advise DSHS and the executive commissioner in establishing rules and priorities for the use of grant funds awarded through the program. Sets forth the composition of the advisory committee.

Sec. 1001.154. GIFTS AND GRANTS. Authorizes DSHS to solicit and accept gifts, grants, and donations from any public or private source for the purposes of this subchapter.

Sec. 1001.155. REQUIRED REPORT. Requires DSHS, not later than December 1 of each even-numbered year, with the assistance of the advisory committee established under this subchapter, to submit a report to the governor and the legislature regarding the grant activities of the program and grant recipients, including the results and outcomes of grants provided under this subchapter.

Sec. 1001.156. RULES. Authorizes the executive commissioner to adopt rules as necessary to implement this subchapter.

Sec. 1001.157. APPROPRIATION REQUIRED. Provides that DSHS is not required to award a grant under this subchapter unless DSHS is specifically appropriated money for purposes of this subchapter.

SECTION 2. (a) Requires the executive commissioner, not later than November 1, 2009, to appoint the members of the advisory committee as required by Section 1001.153, Health and Safety Code, as added by this Act.

(b) Requires DSHS, not later than January 1, 2010, to establish and implement a grant program as described by Subchapter F, Chapter 1001, Health and Safety Code, as added by this Act.

(c) Requires DSHS, not later than December 1, 2010, to provide the initial report to the governor and the legislature as required by Section 1001.155, Health and Safety Code, as added by this Act.

SECTION 3. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes the agency to delay implementing that provision until such waiver or authorization is granted.

SECTION 4. Effective date: September 1, 2009.