

By: Lucio

S.B. No. 1824

A BILL TO BE ENTITLED

AN ACT

relating to the Interagency Task Force for Children with Special Needs.

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

SECTION 1. Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 115 to read as follows:

CHAPTER 115. TASK FORCE FOR CHILDREN WITH SPECIAL NEEDS

Sec. 115.001. DEFINITIONS. In this chapter:

(1) "Children with special needs" means children younger than 22 years of age diagnosed with a chronic illness, intellectual or other developmental disability, or serious mental illness.

(2) "Commission" means the Health and Human Services Commission.

(3) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(4) "Task force" means the Interagency Task Force for Children with Special Needs established under this chapter.

Sec. 115.002. TASK FORCE FOR CHILDREN WITH SPECIAL NEEDS.

The governor, or the governor's designee, shall oversee the task force created and administered by the commission to improve the coordination, quality, and efficiency of services for children with special needs.

Sec. 115.003. DUTIES. The task force shall:

1 (1) not later than September 1, 2010, coordinate with
2 federal agencies to compile a list of opportunities to increase
3 flexible funding for services for children with special needs,
4 including alternative funding sources and service delivery
5 options;

6 (2) conduct a review of state agency policies and
7 procedures related to service delivery for children with special
8 needs;

9 (3) perform a needs assessment, including public
10 hearings to identify service delivery gaps, system entry points,
11 and service obstacles; and

12 (4) develop a five-year plan to improve the
13 coordination, quality, and efficiency of services for children with
14 special needs under Section 115.004.

15 Sec. 115.004. TASK FORCE PLAN. (a) In developing the
16 five-year plan under this chapter, the task force shall:

17 (1) identify the party responsible for each action set
18 forth in the plan and set deadlines for implementation of each
19 recommendation;

20 (2) create benchmarks to measure progress toward goals
21 and objectives;

22 (3) consult with the Legislative Budget Board to
23 coordinate relevant cost studies and account for long-term savings
24 of short-term child investments;

25 (4) consult with personnel from other states to
26 identify best practices;

27 (5) consult with the state demographer and relevant

- 1 federal agencies to account for future demographic trends;
2 (6) consult with pediatric specialists and other
3 health care providers to determine best medical practices;
4 (7) coordinate with mental health and developmental
5 disability advocates; and
6 (8) develop a timeline for plan implementation.
7 (b) The plan created under this chapter must provide
8 recommendations to:
9 (1) maximize the use of federal funds available to
10 this state for the purposes described by Section 115.002;
11 (2) reduce the number of families who experience
12 crisis due to insufficient and ineffective interventions or
13 services or lack of coordination and planning of interventions or
14 services;
15 (3) improve families' ability to navigate the system
16 through improved coordination between service providers and
17 increased outreach;
18 (4) remove barriers to local coordination of services
19 and supports;
20 (5) evaluate the feasibility of creating an
21 interagency legally authorized representative program to provide
22 support services for children with special needs;
23 (6) improve early detection and intervention
24 services;
25 (7) increase the number of community-based options for
26 children with special needs;
27 (8) improve accountability for each agency

- 1 represented on the task force and other service providers;
2 (9) reduce existing fragmentation of service delivery
3 to reflect best practices and eliminate ineffective interventions;
4 (10) reduce service gaps and overlap;
5 (11) improve data management;
6 (12) prevent unnecessary parental relinquishment of
7 custody;
8 (13) create a core set of quality measures to
9 determine quality of care and improvements to quality of life; and
10 (14) improve availability of high-quality
11 community-based acute and long-term care services and supports.

12 Sec. 115.005. MEMORANDUM OF UNDERSTANDING. The governor's
13 office and each agency represented on the task force shall enter
14 into a memorandum of understanding to implement the task force's
15 duties under this chapter.

16 Sec. 115.006. REPORT. (a) The task force shall submit a
17 biennial report on the progress of each agency represented on the
18 task force in accomplishing the goals described by Section 115.002
19 to the governor, lieutenant governor, and speaker of the house of
20 representatives.

21 (b) The report must include:

- 22 (1) stakeholder input, including testimony from
23 parents in each health and human services district;
24 (2) progress toward meeting each goal outlined in the
25 plan under Section 115.004;
26 (3) current barriers that prevent accomplishing each
27 goal listed in Subdivision (2);

1 (4) additional resource needs;

2 (5) current resources that could be redirected for
3 more efficient and effective use;

4 (6) amendments to the plan under this chapter;

5 (7) recommendations and proposed legislation to help
6 fulfill the goals of this chapter; and

7 (8) feasibility statements on related
8 recommendations.

9 (c) The task force shall publish the report on the
10 commission's website.

11 Sec. 115.007. COMPOSITION. (a) The task force consists
12 of:

13 (1) the commissioner, the executive director or
14 director, or a deputy or assistant commissioner of:

15 (A) the commission, designated by the executive
16 commissioner;

17 (B) the Department of Aging and Disability
18 Services, designated by the commissioner of that agency;

19 (C) the Department of Assistive and
20 Rehabilitative Services, designated by the commissioner of that
21 agency;

22 (D) the division of early childhood intervention
23 services, designated by the commissioner of the Department of
24 Assistive and Rehabilitative Services;

25 (E) the Department of Family and Protective
26 Services, designated by the commissioner of that agency;

27 (F) the Department of State Health Services,

1 designated by the commissioner of that agency;

2 (G) the Texas Education Agency, designated by the
3 commissioner of that agency;

4 (H) the Texas Youth Commission, designated by the
5 executive commissioner of that agency;

6 (I) the Texas Juvenile Probation Commission,
7 designated by the executive director of that agency; and

8 (J) the Texas Correctional Office on Offenders
9 with Medical or Mental Impairments, designated by the director of
10 that office; and

11 (2) eight nonvoting members who are:

12 (A) a representative of a local mental health
13 authority or a local mental retardation authority, appointed by the
14 governor;

15 (B) two members of the house of representatives,
16 appointed by the speaker of the house of representatives;

17 (C) two senators, appointed by the lieutenant
18 governor; and

19 (D) three parents or consumer advocates, one each
20 appointed by the commission, the Texas Education Agency, and the
21 Texas Youth Commission.

22 (b) The members of the task force appointed under Subsection
23 (a)(2)(D) may serve a five-year term or may elect to serve for a
24 shorter period.

25 Sec. 115.008. MEETINGS. (a) The task force shall meet at
26 least once each quarter.

27 (b) The task force shall provide an opportunity for

1 statewide public participation in at least two meetings in each
2 calendar year.

3 (c) All meetings of the task force shall be conducted in
4 accordance with Chapter 551, Government Code.

5 Sec. 115.009. INTERAGENCY COORDINATOR; STAFF. (a) The
6 governor shall appoint an interagency coordinator from the
7 commission as the presiding officer of the task force.

8 (b) The interagency coordinator shall hire a full-time
9 director and administrative assistant to support the duties and
10 functions of the task force.

11 Sec. 115.010. TASK FORCE DIRECTOR. The task force director
12 hired by the interagency coordinator under Section 115.009 shall:

13 (1) prepare on behalf of the task force the plan and
14 reports required under this chapter;

15 (2) work with each task force representative to
16 schedule meetings and deadlines relevant to the representative's
17 agency; and

18 (3) work with the interagency coordinator to assign
19 subcommittee leadership positions under Section 115.011.

20 Sec. 115.011. SUBCOMMITTEES. (a) The interagency
21 coordinator, assisted by the task force director, shall establish
22 subcommittees to address:

23 (1) early childhood detection and intervention;

24 (2) education;

25 (3) health care;

26 (4) transitioning youth;

27 (5) crisis prevention and intervention;

1 (6) juvenile justice;

2 (7) long-term, community-based services and supports;

3 and

4 (8) mental health.

5 (b) Each subcommittee shall include at least one task force
6 member to serve as chair. Consistent with the purpose of each
7 subcommittee, members shall consult with relevant subject matter
8 experts, relevant advocacy organizations, staff from related
9 agencies, and parents or consumers who have used related services.

10 (c) Each subcommittee shall report the subcommittee's
11 findings and related recommendations at a task force meeting at
12 least once each year. On a biennial basis, the subcommittee shall
13 provide a written report with findings and recommendations not less
14 than two months before the scheduled release of the task force
15 report under this chapter.

16 Sec. 115.012. SUNSET PROVISION. The Interagency Task Force
17 for Children With Special Needs is subject to Chapter 325,
18 Government Code (Texas Sunset Act). Unless continued in existence
19 as provided by that chapter, the task force is abolished and this
20 chapter expires September 1, 2015.

21 SECTION 2. (a) As soon as practicable after the effective
22 date of this Act:

23 (1) the governor shall appoint the interagency
24 coordinator of the Interagency Task Force for Children with Special
25 Needs as required by Section 115.009, Health and Safety Code, as
26 added by this Act; and

27 (2) the lieutenant governor, speaker of the house of

1 representatives, and executive commissioner, commissioner,
2 executive director, or director of each entity listed under Section
3 115.007, Health and Safety Code, as added by this Act, shall appoint
4 the members of the Interagency Task Force for Children with Special
5 Needs established by Chapter 115, Health and Safety Code, as added
6 by this Act.

7 (b) The Interagency Task Force for Children with Special
8 Needs shall hold an organizational meeting not later than September
9 30, 2009.

10 (c) The interagency coordinator shall appoint the
11 subcommittees created under Section 115.011, Health and Safety
12 Code, as added by this Act, not later than December 1, 2009.

13 (d) The plan required under Chapter 115, Health and Safety
14 Code, as added by this Act, must be submitted to the 82nd
15 Legislature not later than September 1, 2011.

16 SECTION 3. If before implementing any provision of this Act
17 a state agency determines that a waiver or authorization from a
18 federal agency is necessary for implementation of that provision,
19 the agency affected by the provision shall request the waiver or
20 authorization and may delay implementing that provision until the
21 waiver or authorization is granted.

22 SECTION 4. This Act takes effect September 1, 2009.