

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) "Health and human services agency" means a health and human services agency listed by Section 531.001, Government Code.

(5) "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

1 coordination, quality, and efficiency of services for children with  
2 special needs.

3 Sec. 115.003. DUTIES. The task force shall:

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

9 (2) conduct a review of state agency policies and  
10 procedures related to service delivery for children with special  
11 needs;

12 (3) perform a needs assessment, including public  
13 hearings to identify service delivery gaps, system entry points,  
14 and service obstacles; and

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

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

20 (1) identify the party responsible for each action set  
21 forth in the plan and set deadlines for implementation of each  
22 recommendation;

23 (2) create benchmarks to measure progress toward goals  
24 and objectives;

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

1           (4) consult with personnel from other states to  
2 identify best practices;

3           (5) consult with the state demographer and relevant  
4 federal agencies to account for future demographic trends;

5           (6) consult with pediatric specialists and other  
6 health care providers to determine best medical practices;

7           (7) coordinate with mental health and developmental  
8 disability advocates; and

9           (8) develop a timeline for plan implementation.

10          (b) The plan created under this chapter must provide  
11 recommendations to:

12           (1) maximize the use of federal funds available to  
13 this state for the purposes described by Section 115.002;

14           (2) reduce the number of families who experience  
15 crisis due to insufficient and ineffective interventions or  
16 services or lack of coordination and planning of interventions or  
17 services;

18           (3) improve families' ability to navigate the system  
19 through improved coordination between service providers and  
20 increased outreach;

21           (4) remove barriers to local coordination of services  
22 and supports;

23           (5) evaluate the feasibility of creating an  
24 interagency legally authorized representative program to provide  
25 support services for children with special needs;

26           (6) improve early detection and intervention  
27 services;

1           (7) increase the number of community-based options for  
2 children with special needs;

3           (8) improve accountability for each health and human  
4 services agency and other service providers;

5           (9) reduce existing fragmentation of service delivery  
6 to reflect best practices and eliminate ineffective interventions;

7           (10) reduce service gaps and overlap;

8           (11) improve data management;

9           (12) prevent unnecessary parental relinquishment of  
10 custody;

11           (13) create a core set of quality measures to  
12 determine quality of care and improvements to quality of life; and

13           (14) improve availability of high-quality  
14 community-based acute and long-term care services and supports.

15           Sec. 115.005. MEMORANDUM OF UNDERSTANDING. The governor's  
16 office and each health and human services agency represented on the  
17 task force shall enter into a memorandum of understanding to  
18 implement the task force's duties under this chapter.

19           Sec. 115.006. REPORT. (a) The task force shall submit a  
20 biennial report on the progress of each health and human services  
21 agency in accomplishing the goals described by Section 115.002 to  
22 the governor, lieutenant governor, and speaker of the house of  
23 representatives.

24           (b) The report must include:

25           (1) stakeholder input, including testimony from  
26 parents in each health and human services district;

27           (2) progress toward meeting each goal outlined in the

1 plan under Section 115.004;

2 (3) current barriers that prevent accomplishing each  
3 goal listed in Subdivision (2);

4 (4) additional resource needs;

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

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

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

10 (8) feasibility statements on related  
11 recommendations.

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

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

15 (1) the commissioner, the executive director or  
16 director, or a deputy or assistant commissioner of:

17 (A) the commission, designated by the executive  
18 commissioner;

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

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

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

27 (E) the Department of Family and Protective

1 Services, designated by the commissioner of that agency;

2 (F) the Department of State Health Services,  
3 designated by the commissioner of that agency;

4 (G) the Texas Education Agency, designated by the  
5 commissioner of that agency;

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

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

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

13 (2) seven nonvoting members who are:

14 (A) two members of the house of representatives,  
15 appointed by the speaker of the house of representatives;

16 (B) two senators, appointed by the lieutenant  
17 governor; and

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

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

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

26 (b) The task force shall provide an opportunity for  
27 statewide public participation in at least two meetings in each

1 calendar year.

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

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

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

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

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

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

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

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

22 (1) early childhood detection and intervention;

23 (2) education;

24 (3) health care;

25 (4) transitioning youth;

26 (5) crisis prevention and intervention;

27 (6) juvenile justice; and

1           (7) long-term, community-based services and supports.

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

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

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

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

19           (2) the lieutenant governor, speaker of the house of  
20 representatives, and executive commissioner, commissioner,  
21 executive director, or director of each entity listed under Section  
22 115.007, Health and Safety Code, as added by this Act, shall appoint  
23 the members of the Interagency Task Force for Children with Special  
24 Needs established by Chapter 115, Health and Safety Code, as added  
25 by this Act.

26           (b) The Interagency Task Force for Children with Special  
27 Needs shall hold an organizational meeting not later than September



1 30, 2009.

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

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

8 SECTION 3. If before implementing any provision of this Act  
9 a state agency determines that a waiver or authorization from a  
10 federal agency is necessary for implementation of that provision,  
11 the agency affected by the provision shall request the waiver or  
12 authorization and may delay implementing that provision until the  
13 waiver or authorization is granted.

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