

1-1 By: Lucio S.B. No. 1824
1-2 (In the Senate - Filed March 11, 2009; March 20, 2009, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 May 11, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; May 11, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1824 By: Deuell

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the Interagency Task Force for Children with Special
1-11 Needs.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13 SECTION 1. Subtitle E, Title 2, Health and Safety Code, is
1-14 amended by adding Chapter 115 to read as follows:

1-15 CHAPTER 115. TASK FORCE FOR CHILDREN WITH SPECIAL NEEDS

1-16 Sec. 115.001. DEFINITIONS. In this chapter:

1-17 (1) "Children with special needs" means children
1-18 younger than 22 years of age diagnosed with a chronic illness,
1-19 intellectual or other developmental disability, or serious mental
1-20 illness.

1-21 (2) "Commission" means the Health and Human Services
1-22 Commission.

1-23 (3) "Executive commissioner" means the executive
1-24 commissioner of the Health and Human Services Commission.

1-25 (4) "Task force" means the Interagency Task Force for
1-26 Children with Special Needs established under this chapter.

1-27 Sec. 115.002. TASK FORCE FOR CHILDREN WITH SPECIAL NEEDS.
1-28 The governor, or the governor's designee, shall oversee the task
1-29 force created and administered by the commission to improve the
1-30 coordination, quality, and efficiency of services for children with
1-31 special needs.

1-32 Sec. 115.003. DUTIES. The task force shall:

1-33 (1) not later than September 1, 2010, coordinate with
1-34 federal agencies to compile a list of opportunities to increase
1-35 flexible funding for services for children with special needs,
1-36 including alternative funding sources and service delivery
1-37 options;

1-38 (2) conduct a review of state agency policies and
1-39 procedures related to service delivery for children with special
1-40 needs;

1-41 (3) perform a needs assessment, including public
1-42 hearings to identify service delivery gaps, system entry points,
1-43 and service obstacles; and

1-44 (4) develop a five-year plan to improve the
1-45 coordination, quality, and efficiency of services for children with
1-46 special needs under Section 115.004.

1-47 Sec. 115.004. TASK FORCE PLAN. (a) In developing the
1-48 five-year plan under this chapter, the task force shall:

1-49 (1) identify the party responsible for each action set
1-50 forth in the plan and set deadlines for implementation of each
1-51 recommendation;

1-52 (2) create benchmarks to measure progress toward goals
1-53 and objectives;

1-54 (3) consult with the Legislative Budget Board to
1-55 coordinate relevant cost studies and account for long-term savings
1-56 of short-term child investments;

1-57 (4) consult with personnel from other states to
1-58 identify best practices;

1-59 (5) consult with the state demographer and relevant
1-60 federal agencies to account for future demographic trends;

1-61 (6) consult with pediatric specialists and other
1-62 health care providers to determine best medical practices;

1-63 (7) coordinate with mental health and developmental

2-1 disability advocates; and
2-2 (8) develop a timeline for plan implementation.
2-3 (b) The plan created under this chapter must provide
2-4 recommendations to:
2-5 (1) maximize the use of federal funds available to
2-6 this state for the purposes described by Section 115.002;
2-7 (2) reduce the number of families who experience
2-8 crisis due to insufficient and ineffective interventions or
2-9 services or lack of coordination and planning of interventions or
2-10 services;
2-11 (3) improve families' ability to navigate the system
2-12 through improved coordination between service providers and
2-13 increased outreach;
2-14 (4) remove barriers to local coordination of services
2-15 and supports;
2-16 (5) evaluate the feasibility of creating an
2-17 interagency legally authorized representative program to provide
2-18 support services for children with special needs;
2-19 (6) improve early detection and intervention
2-20 services;
2-21 (7) increase the number of community-based options for
2-22 children with special needs;
2-23 (8) improve accountability for each agency
2-24 represented on the task force and other service providers;
2-25 (9) reduce existing fragmentation of service delivery
2-26 to reflect best practices and eliminate ineffective interventions;
2-27 (10) reduce service gaps and overlap;
2-28 (11) improve data management;
2-29 (12) prevent unnecessary parental relinquishment of
2-30 custody;
2-31 (13) create a core set of quality measures to
2-32 determine quality of care and improvements to quality of life; and
2-33 (14) improve availability of high-quality
2-34 community-based acute and long-term care services and supports.
2-35 Sec. 115.005. MEMORANDUM OF UNDERSTANDING. The governor's
2-36 office and each agency represented on the task force shall enter
2-37 into a memorandum of understanding to implement the task force's
2-38 duties under this chapter.
2-39 Sec. 115.006. REPORT. (a) The task force shall submit a
2-40 biennial report on the progress of each agency represented on the
2-41 task force in accomplishing the goals described by Section 115.002
2-42 to the governor, lieutenant governor, and speaker of the house of
2-43 representatives.
2-44 (b) The report must include:
2-45 (1) stakeholder input, including testimony from
2-46 parents in each health and human services district;
2-47 (2) progress toward meeting each goal outlined in the
2-48 plan under Section 115.004;
2-49 (3) current barriers that prevent accomplishing each
2-50 goal listed in Subdivision (2);
2-51 (4) additional resource needs;
2-52 (5) current resources that could be redirected for
2-53 more efficient and effective use;
2-54 (6) amendments to the plan under this chapter;
2-55 (7) recommendations and proposed legislation to help
2-56 fulfill the goals of this chapter; and
2-57 (8) feasibility statements on related
2-58 recommendations.
2-59 (c) The task force shall publish the report on the
2-60 commission's website.
2-61 Sec. 115.007. COMPOSITION. (a) The task force consists
2-62 of:
2-63 (1) the commissioner, the executive director or
2-64 director, or a deputy or assistant commissioner of:
2-65 (A) the commission, designated by the executive
2-66 commissioner;
2-67 (B) the Department of Aging and Disability
2-68 Services, designated by the commissioner of that agency;
2-69 (C) the Department of Assistive and

3-1 Rehabilitative Services, designated by the commissioner of that
 3-2 agency;
 3-3 (D) the division of early childhood intervention
 3-4 services, designated by the commissioner of the Department of
 3-5 Assistive and Rehabilitative Services;
 3-6 (E) the Department of Family and Protective
 3-7 Services, designated by the commissioner of that agency;
 3-8 (F) the Department of State Health Services,
 3-9 designated by the commissioner of that agency;
 3-10 (G) the Texas Education Agency, designated by the
 3-11 commissioner of that agency;
 3-12 (H) the Texas Youth Commission, designated by the
 3-13 executive commissioner of that agency;
 3-14 (I) the Texas Juvenile Probation Commission,
 3-15 designated by the executive director of that agency; and
 3-16 (J) the Texas Correctional Office on Offenders
 3-17 with Medical or Mental Impairments, designated by the director of
 3-18 that office; and
 3-19 (2) eight nonvoting members who are:
 3-20 (A) a representative of a local mental health
 3-21 authority or a local mental retardation authority, appointed by the
 3-22 governor;
 3-23 (B) two members of the house of representatives,
 3-24 appointed by the speaker of the house of representatives;
 3-25 (C) two senators, appointed by the lieutenant
 3-26 governor; and
 3-27 (D) three parents or consumer advocates, one each
 3-28 appointed by the commission, the Texas Education Agency, and the
 3-29 Texas Youth Commission.
 3-30 (b) The members of the task force appointed under Subsection
 3-31 (a)(2)(D) may serve a five-year term or may elect to serve for a
 3-32 shorter period.
 3-33 Sec. 115.008. MEETINGS. (a) The task force shall meet at
 3-34 least once each quarter.
 3-35 (b) The task force shall provide an opportunity for
 3-36 statewide public participation in at least two meetings in each
 3-37 calendar year.
 3-38 (c) All meetings of the task force shall be conducted in
 3-39 accordance with Chapter 551, Government Code.
 3-40 Sec. 115.009. INTERAGENCY COORDINATOR; STAFF. (a) The
 3-41 governor shall appoint an interagency coordinator from the
 3-42 commission as the presiding officer of the task force.
 3-43 (b) The interagency coordinator shall hire a full-time
 3-44 director and administrative assistant to support the duties and
 3-45 functions of the task force.
 3-46 Sec. 115.010. TASK FORCE DIRECTOR. The task force director
 3-47 hired by the interagency coordinator under Section 115.009 shall:
 3-48 (1) prepare on behalf of the task force the plan and
 3-49 reports required under this chapter;
 3-50 (2) work with each task force representative to
 3-51 schedule meetings and deadlines relevant to the representative's
 3-52 agency; and
 3-53 (3) work with the interagency coordinator to assign
 3-54 subcommittee leadership positions under Section 115.011.
 3-55 Sec. 115.011. SUBCOMMITTEES. (a) The interagency
 3-56 coordinator, assisted by the task force director, shall establish
 3-57 subcommittees to address:
 3-58 (1) early childhood detection and intervention;
 3-59 (2) education;
 3-60 (3) health care;
 3-61 (4) transitioning youth;
 3-62 (5) crisis prevention and intervention;
 3-63 (6) juvenile justice;
 3-64 (7) long-term, community-based services and supports;
 3-65 and
 3-66 (8) mental health.
 3-67 (b) Each subcommittee shall include at least one task force
 3-68 member to serve as chair. Consistent with the purpose of each
 3-69 subcommittee, members shall consult with relevant subject matter

4-1 experts, relevant advocacy organizations, staff from related
4-2 agencies, and parents or consumers who have used related services.

4-3 (c) Each subcommittee shall report the subcommittee's
4-4 findings and related recommendations at a task force meeting at
4-5 least once each year. On a biennial basis, the subcommittee shall
4-6 provide a written report with findings and recommendations not less
4-7 than two months before the scheduled release of the task force
4-8 report under this chapter.

4-9 SECTION 2. (a) As soon as practicable after the effective
4-10 date of this Act:

4-11 (1) the governor shall appoint the interagency
4-12 coordinator of the Interagency Task Force for Children with Special
4-13 Needs as required by Section 115.009, Health and Safety Code, as
4-14 added by this Act; and

4-15 (2) the lieutenant governor, speaker of the house of
4-16 representatives, and executive commissioner, commissioner,
4-17 executive director, or director of each entity listed under Section
4-18 115.007, Health and Safety Code, as added by this Act, shall appoint
4-19 the members of the Interagency Task Force for Children with Special
4-20 Needs established by Chapter 115, Health and Safety Code, as added
4-21 by this Act.

4-22 (b) The Interagency Task Force for Children with Special
4-23 Needs shall hold an organizational meeting not later than September
4-24 30, 2009.

4-25 (c) The interagency coordinator shall appoint the
4-26 subcommittees created under Section 115.011, Health and Safety
4-27 Code, as added by this Act, not later than December 1, 2009.

4-28 (d) The plan required under Chapter 115, Health and Safety
4-29 Code, as added by this Act, must be submitted to the 82nd
4-30 Legislature not later than September 1, 2011.

4-31 SECTION 3. If before implementing any provision of this Act
4-32 a state agency determines that a waiver or authorization from a
4-33 federal agency is necessary for implementation of that provision,
4-34 the agency affected by the provision shall request the waiver or
4-35 authorization and may delay implementing that provision until the
4-36 waiver or authorization is granted.

4-37 SECTION 4. This Act takes effect September 1, 2009.

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