

By: Nelson, et al.

S.B. No. 1877

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Texas Medical Child Abuse Resources and Education System grant program.

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

SECTION 1. Chapter 1001, Health and Safety Code, is amended by adding Subchapter F to read 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) The department shall 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, Family Code, as added by Chapter 1406 (S.B. 758), Acts of the 80th Legislature, Regular Session, 2007.

(b) The department may 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.

1       (c) The department shall encourage collaboration among  
2 grant recipients in the development of program services and  
3 activities.

4       Sec. 1001.152. USE OF GRANT. A grant awarded under this  
5 subchapter may be used to support:

6           (1) comprehensive medical evaluations, psychosocial  
7 assessments, treatment services, and written and photographic  
8 documentation of abuse;

9           (2) education and training for health professionals,  
10 including physicians, medical students, resident physicians, child  
11 abuse fellows, and nurses, relating to the assessment, diagnosis,  
12 and treatment of child abuse and neglect;

13           (3) education and training for community agencies  
14 involved with child abuse and neglect, law enforcement officials,  
15 child protective services staff, and children's advocacy centers  
16 involved with child abuse and neglect;

17           (4) medical case reviews and consultations and  
18 testimony regarding those reviews and consultations;

19           (5) research, data collection, and quality assurance  
20 activities, including the development of evidence-based guidelines  
21 and protocols for the prevention, evaluation, and treatment of  
22 child abuse and neglect;

23           (6) the use of telemedicine and other means to extend  
24 services from regional programs into underserved areas; and

25           (7) other necessary activities, services, supplies,  
26 facilities, and equipment as determined by the department.

27       Sec. 1001.153. MEDCARES ADVISORY COMMITTEE. The executive

1 commissioner shall establish an advisory committee to advise the  
2 department and the executive commissioner in establishing rules and  
3 priorities for the use of grant funds awarded through the program.

4 The advisory committee is composed of the following nine members:

5 (1) the state Medicaid director or the state Medicaid  
6 director's designee;

7 (2) the medical director for the Department of Family  
8 and Protective Services or the medical director's designee; and

9 (3) as appointed by the executive commissioner:

10 (A) two pediatricians with expertise in child  
11 abuse or neglect;

12 (B) a nurse with expertise in child abuse or  
13 neglect;

14 (C) a representative of a pediatric residency  
15 training program;

16 (D) a representative of a children's hospital;

17 (E) a representative of a children's advocacy  
18 center; and

19 (F) a member of the Governor's EMS and Trauma  
20 Advisory Council.

21 Sec. 1001.154. GIFTS AND GRANTS. The department may  
22 solicit and accept gifts, grants, and donations from any public or  
23 private source for the purposes of this subchapter.

24 Sec. 1001.155. REQUIRED REPORT. Not later than December 1  
25 of each even-numbered year, the department, with the assistance of  
26 the advisory committee established under this subchapter, shall  
27 submit a report to the governor and the legislature regarding the

1 grant activities of the program and grant recipients, including the  
2 results and outcomes of grants provided under this subchapter.

3 Sec. 1001.156. RULES. The executive commissioner may adopt  
4 rules as necessary to implement this subchapter.

5 Sec. 1001.157. APPROPRIATION REQUIRED. The department is  
6 not required to award a grant under this subchapter unless the  
7 department is specifically appropriated money for purposes of this  
8 subchapter.

9 SECTION 2. (a) Not later than November 1, 2009, the  
10 executive commissioner of the Health and Human Services Commission  
11 shall appoint the members of the advisory committee as required by  
12 Section 1001.153, Health and Safety Code, as added by this Act.

13 (b) Not later than January 1, 2010, the Department of State  
14 Health Services shall establish and implement a grant program as  
15 described by Subchapter F, Chapter 1001, Health and Safety Code, as  
16 added by this Act.

17 (c) Not later than December 1, 2010, the Department of State  
18 Health Services shall provide the initial report to the governor  
19 and the legislature as required by Section 1001.155, Health and  
20 Safety Code, as added by this Act.

21 SECTION 3. If before implementing any provision of this Act  
22 a state agency determines that a waiver or authorization from a  
23 federal agency is necessary for implementation of that provision,  
24 the agency affected by the provision shall request the waiver or  
25 authorization and may delay implementing that provision until the  
26 waiver or authorization is granted.

27 Section 4. This Act does not make an appropriation. This

1 Act takes effect only if a specific appropriation for the  
2 implementation of the Act is provided in a general appropriations  
3 act of the 81st Legislature.

4 SECTION 5. Except as otherwise provided by this Act, this  
5 Act takes effect September 1, 2009.