

SENATE AMENDMENTS

2nd Printing

By: Hochberg

H.B. No. 1322

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an online resource for teachers of students with special health needs.

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

SECTION 1. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.463 to read as follows:

Sec. 21.463. RESOURCES FOR TEACHERS OF STUDENTS WITH SPECIAL HEALTH NEEDS. The agency, in coordination with the Health and Human Services Commission, shall establish and maintain an Internet website to provide resources for teachers who teach students with special health needs. The agency shall include on the website information about:

(1) the treatment and management of chronic illnesses and how such illnesses impact a student's well-being or ability to succeed in school; and

(2) food allergies that are common among students, including information about preventing exposure to a specific food when necessary to protect a student's health and information about treating a student suffering from an allergic reaction to a food.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

ADOPTED

MAY 27 2009

Letty Spew
Secretary of the Senate

BY:

Wendy N Davis

FLOOR AMENDMENT NO. 1

Amend H.B. No. 1322 (senate committee printing) by adding the following SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 32.101, Insurance Code, is amended to read as follows:

Sec. 32.101. APPLICABILITY OF SUBCHAPTER. (a) This subchapter applies to insurers who comprise the top 25 insurance groups in the national market and who issue residential property insurance or personal automobile insurance policies in this state, including a Lloyd's plan, a reciprocal or interinsurance exchange, a county mutual insurance company, a farm mutual insurance company, the Texas Windstorm Insurance Association, the FAIR Plan Association, and the Texas Automobile Insurance Plan Association.

(b) This subchapter applies to an issuer of a health benefit plan described by Section 544.301, as added by Chapter 748 (H.B. 2810), Acts of the 79th Legislature, Regular Session, 2005.

(b) This section takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes does not become law.

SECTION _____. (a) Section 32.101, Insurance Code, is amended to read as follows:

Sec. 32.101. APPLICABILITY OF SUBCHAPTER. (a) This subchapter applies to insurers who comprise the top 25 insurance groups in the national market and who issue residential property insurance or personal automobile insurance policies in this state, including a Lloyd's plan, a reciprocal or interinsurance exchange, a county mutual insurance company, a farm mutual insurance company,

the Texas Windstorm Insurance Association, the FAIR Plan Association, and the Texas Automobile Insurance Plan Association.

(b) This subchapter applies to an issuer of a health benefit plan described by Section 544.501.

(b) This section takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes becomes law.

SECTION _____. Section 32.102(a), Insurance Code, is amended to read as follows:

(a) The department, in conjunction with the office of public insurance counsel, shall establish and maintain a single Internet website that provides information to enable consumers to make informed decisions relating to the purchase of health insurance, residential property insurance, and personal automobile insurance.

The website must include:

(1) a description of each type of residential property insurance policy and personal automobile insurance policy issued in this state, including a comparison of the coverage, exclusions, and restrictions of each policy that allows a side-by-side comparison of the features of the policy forms;

(2) a listing of each insurer writing residential property insurance or personal automobile insurance in this state, indexed by each county or zip code in which the insurer is actively writing that insurance, and a profile of the insurer that includes:

(A) contact information for the insurer, including the insurer's full name, address, and telephone number and the insurer's fax number and e-mail address, if available;

(B) information on rates charged by the insurer, including:

(i) sample rates for different policyholder profiles in each county or zip code; and

(ii) the percentage by which the sample rate has fallen or risen due to filings in the previous 12, 24, and 36 months;

(C) a list of policy forms, exclusions, endorsements, and discounts offered by the insurer;

(D) an indication of whether the insurer uses credit scoring in underwriting, rating, or tiering, and a link to the insurer's credit model or a link explaining how to request the insurer's credit model;

(E) the insurer's financial rating determined by A. M. Best or similar rating organization and an explanation of the meaning and importance of the rating;

(F) a complaint ratio or similar complaint rating system for the insurer for each of the previous three years and an explanation of the meaning of the rating system; and

(G) information, other than information made confidential by law, on the insurer's regulatory and administrative experience with the department, the office of public insurance counsel, and insurance regulatory authorities in other states; [and]

(3) if feasible, as determined by the commissioner and the public insurance counsel:

(A) a side-by-side comparison of credit scoring models, including factors, key variables, and weights, of residential property insurers in this state; and

(B) a side-by-side comparison of credit scoring models, including factors, key variables, and weights, of private

passenger automobile insurers in this state; and

(4) in the manner prescribed by the commissioner by rule, contact information for individual health benefit plans as necessary for consumers to obtain additional rate information regarding a plan and a comparison of information about health benefit plans, including information regarding a plan's:

(A) annual deductibles;

(B) out-of-pocket maximums;

(C) office visit copayments, listed separately for primary care providers and specialists;

(D) prescription copayments, listed by generic and brand name medications;

(E) prescription deductibles;

(F) lifetime maximum coverage;

(G) maternity coverage included;

(H) emergency room visit copayments;

(I) covered days for inpatient mental health;

(J) outpatient surgery copayments; and

(K) inpatient cost sharing.

ADOPTED

FLOOR AMENDMENT NO. 2

MAY 27 2009

BY: Robert Rojas

Amend H.B. No. 1322 (senate committee printing) by Robert Rojas
Secretary of the Senate

adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ Amend Chapter 264, Family Code, is by adding Subchapter K to read as follows:

SUBCHAPTER K. ONLINE RESOURCE CENTER

Sec. 264.821. DEFINITIONS. In this subchapter:

(1) "Communications tool" means an online method for peer-to-peer communication among individuals who handle child abuse and neglect cases.

(2) "Office" means the Office of Court Administration of the Texas Judicial System.

(3) "Online resource center" means a single interactive Internet website that provides, to individuals who handle child abuse and neglect cases, timely informational materials pertinent to child abuse and neglect cases in this state, which may include summaries of Texas cases and statutes relating to child abuse and neglect, sample briefs and other legal forms, articles and papers, manuals with information on Texas legal practice and practice tips, a conference calendar, and communications tools.

Sec. 264.822. CONTRACT. (a) The office shall contract with an entity to provide an online resource center if:

(1) the office is specifically appropriated money in an amount adequate to provide the online resource center; and

(2) there is a qualified entity with whom the office is able to contract.

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(b) The online resource center must:

(1) provide a means of searching for informational materials by subject; and

(2) include a:

(A) communications tool for judges; and

(B) communications tool for attorneys.

(c) The contract under this section must prohibit the entity with which the office contracts from spending more than 12 percent of the contract price on the entity's indirect or administrative overhead expenses.

(d) If the office does not enter into a contract in accordance with this subchapter, the office may not receive the funds appropriated to the office in connection with this subchapter.

Sec. 264.823. ELIGIBILITY FOR CONTRACT. The entity with which the office contracts under this subchapter must:

(1) have experience in operating an online resource center specifically designed for judges and attorneys handling child abuse and neglect cases in this state;

(2) have experience in providing a communications tool; and

(3) employ or contract with at least one attorney who is licensed to practice law in this state and who specializes in child abuse and neglect cases to compile the materials for and oversee the operation of the online resource center.

Sec. 264.824. FUNDING. (a) The entity with which the office contracts under this subchapter may obtain funding from private foundations and individuals, from state and federal grants, and from any other source to operate the online resource center.

(b) The entity must maintain and provide to the office records that adequately identify:

(1) each person who provided funds to the entity to operate the online resource center; and

(2) the amount of funds the person provided.

Sec. 264.825. CONFIDENTIALITY. All communications conducted through a communications tool provided in connection with the online resource center implemented under this subchapter are privileged and confidential.

SECTION ____ This Act does not make an appropriation. A provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

SECTION ____ This Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1322 by Hochberg (relating to the establishment of an online resource for teachers of students with special health needs.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1322, As Passed 2nd House: a negative impact of (\$500,000) through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$250,000)
2011	(\$250,000)
2012	(\$250,000)
2013	(\$250,000)
2014	(\$250,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1
2010	(\$250,000)
2011	(\$250,000)
2012	(\$250,000)
2013	(\$250,000)
2014	(\$250,000)

Fiscal Analysis

The Texas Education Agency estimates incurring one-time costs of \$6,574 in fiscal year 2010 for contracted technical support to deploy the website and that workload to develop and maintain content in coordination with the Health and Human Services Commission (HHSC) could be accommodated using existing resources. The Department of State Health Services and HHSC indicate that coordination activities to develop the on-line resource could be accomplished using existing resources.

The bill would amend the Insurance Code to require online posting of consumer information concerning certain health benefit plans. It is assumed that any costs realized by the Texas Department of Insurance in implementing the provisions of the bill could be absorbed within existing resources.

The bill would amend the Family Code relating to creating an online resource center for judges and

attorneys handling child abuse and neglect cases. The bill would require the Office of Court Administration to contract with a qualified entity, as defined, to provide an online resource center for judges and attorneys handling child abuse and neglect cases. The bill would require the online resource center to include an e-mail network, a discussion board, a document sharing system and other information materials as defined for judges and attorneys. The bill would provide that the qualified entity with which the office contracts under this subchapter may obtain funding from private foundations and individuals, from state and federal grants, and from any other source to operate the online resource center.

Methodology

According to the Office of Court Administration (OCA), an online resource center with components as defined by the bill would cost \$250,000 to \$375,000 annually to startup and maintain. This analysis assumes costs to OCA for the new online resource center would be \$250,000 each fiscal year, and any additional costs up to \$125,000 would be funded by the qualified entity from donations from private foundations and individuals, federal grants, or other sources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 454 Department of Insurance, 701 Central Education Agency

LBB Staff: JOB, JSp, TB, CH

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 1, 2009

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1322 by Hochberg (Relating to the establishment of an online resource for teachers of students with special health needs.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The Texas Education Agency estimates incurring one-time costs of \$6,574 in fiscal year 2010 for contracted technical support to deploy the website and that workload to develop and maintain content in coordination with the Health and Human Services Commission (HHSC) could be accommodated using existing resources. The Department of State Health Services and HHSC indicate that coordination activities to develop the on-line resource could be accomplished using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services, Department of, 701 Central Education Agency

LBB Staff: JOB, JSp

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 28, 2009

TO: Honorable Rob Eissler, Chair, House Committee on Public Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1322** by Hochberg (relating to the establishment of an online resource for teachers of students with special health needs), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The Texas Education Agency estimates incurring one-time costs of \$6,574 in fiscal year 2010 for contracted technical support to deploy the website and that workload to develop and maintain content in coordination with the Health and Human Services Commission (HHSC) could be accommodated using existing resources. The Department of State Health Services and HHSC indicate that coordination activities to develop the on-line resource could be accomplished using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services, Department of, 701 Central Education Agency

LBB Staff: JOB, JSp

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 20, 2009

TO: Honorable Rob Eissler, Chair, House Committee on Public Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1322 by Hochberg (Relating to the establishment of an on-line resource for teachers of students with special health needs.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The Texas Education Agency estimates incurring one-time costs of \$6,574 in fiscal year 2010 for contracted technical support to deploy the website and that workload to develop and maintain content in coordination with the Health and Human Services Commission (HHSC) could be accommodated using existing resources. The Department of State Health Services and HHSC indicate that coordination activities to develop the on-line resource could be accomplished using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services, Department of, 701 Central Education Agency

LBB Staff: JOB, JSp

