

BILL ANALYSIS

S.B. 501
By: West
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that children who are members of racial or ethnic minority groups seem to be disproportionately involved in the foster care, special education, juvenile justice, and criminal justice systems. Past state efforts to address this concern have been largely targeted at specific issue areas, such as the public school discipline system, but a more comprehensive approach may help allow the state to maximize resources and produce better results for such populations through these systems.

S.B. 501 seeks to address these issues by creating the Interagency Council for Addressing Disproportionality to examine best practices and training, review the availability of funding, consider both entry into and ultimate outcomes of the juvenile justice, child welfare, education, and mental health systems, and make recommendations to address disproportionality over the long term.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 501 amends the Human Resources Code to establish the Interagency Council for Addressing Disproportionality to examine the level of disproportionate involvement of children who are members of a racial or ethnic minority group at each stage in the juvenile justice, child welfare, and mental health systems, including the points of entry, each point at which a treatment decision is made, and the outcomes for the children exiting the systems; examine issues relating to the disproportionate delivery of various educational services to children who are members of a racial or ethnic minority group in the education system; make recommendations to reduce the involvement of the children who are members of a racial or ethnic minority group in the juvenile justice, child welfare, and mental health systems and improve the children's success in the education system; and assist the Health and Human Services Commission (HHSC) in eliminating health and health access disparities in Texas among racial, multicultural, disadvantaged, ethnic, and regional populations.

S.B. 501 sets forth the composition of the council and requires a representative of an agency appointed to the council to have an overall understanding of the agency's mission and purpose and substantial experience and expertise relating to the administration of the agency's policies, programs, and activities. The bill specifies that the representative from the Center for Elimination of Disproportionality and Disparities within HHSC serves as the presiding officer of the council and requires a person who is appointed to the council to complete a cultural competency training program approved by the presiding officer. The bill requires the council to meet at least quarterly and specifies that the council's duties include the following:

- reviewing the delivery of public and private child welfare, juvenile justice, and mental health services to evaluate the disproportionate rates of use of the services by children

who are members of a racial or ethnic minority group;

- reviewing the delivery of public and private education services to determine which of those services are delivered disproportionately to children who are members of a racial or ethnic minority group;
- reviewing federal, state, and local funds appropriated to address the disproportionate use of children's services by children who are members of a racial or ethnic minority group;
- reviewing current best practice standards addressing the disproportionate use of children's services by children who are members of a racial or ethnic minority group;
- examining the qualifications and training of children's service providers and making recommendations for training curriculum and other necessary changes;
- recommending methods to improve use of available public and private funds to address the disproportionate use of children's services by children who are members of a racial or ethnic minority group;
- providing information concerning identified unmet children's service needs and providing recommendations concerning the development of resources to meet the identified needs;
- examining outcomes for children who are members of a racial or ethnic minority group who have exited or will exit the public and private child welfare, juvenile justice, mental health, and education systems;
- recommending administrative and legislative actions related to appropriate programs and services to reduce and eliminate disparities in the systems and improve the long-term outcomes for children who are members of a racial or ethnic minority group who are served by the systems; and
- preparing a report consisting of the council's findings and recommendations and the presentation of an implementation plan to address disproportionate representation of children who are members of a racial or ethnic minority group in the use of children's services.

S.B. 501 requires the council to investigate and report on issues related to health and health access disparities among racial, multicultural, disadvantaged, ethnic, and regional populations; develop short-term and long-term strategies to eliminate health and health access disparities among such populations; monitor the progress of each health and human services agency in eliminating health and health access disparities; and advise each health and human services agency on the implementation of any targeted programs or funding authorized by the legislature to address health and health access disparities. The bill requires the council, in performing its duties relating to health and health access disparities, to consult with each health and human services agency, the Center for Elimination of Disproportionality and Disparities, and any other relevant division of HHSC. The bill requires the council to attach any information developed by the council in the course of performing its duties relating to health and health access disparities to the council's legislative report.

S.B. 501 requires the council, not later than December 1, 2012, to prepare and submit to the lieutenant governor, the speaker of the house of representatives, and the legislature a report containing the council's findings and recommendations for addressing the disproportionate representation of children who are members of a racial or ethnic minority group in the use of children's services and the council's recommendation as to whether to continue the council. The bill specifies that a council member is not entitled to compensation but may be entitled to reimbursement for the member's travel expenses as provided by the Travel Regulations Act and the General Appropriations Act. The bill exempts the council from provisions of law relating to state agency advisory committees and establishes that provisions of the bill relating to the council expire December 1, 2013.

S.B. 501 amends the Health and Safety Code to remove references in provisions of law relating to an office for the elimination of health disparities within HHSC to instead refer to a center for elimination of disproportionality and disparities and makes related conforming changes.

S.B. 501 repeals Chapter 107, Health and Safety Code, relating to the health disparities task force.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.