

By: Kolkhorst

H.B. No. 1875

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the repeal of certain health programs, task forces, and
3 councils, and to the review of certain health programs, councils,
4 and divisions under the Texas Sunset Act.

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

6 SECTION 1. Section 531.021(b), Government Code, is amended
7 to read as follows:

8 (b) The commission shall:

9 (1) plan and direct the Medicaid program in each
10 agency that operates a portion of the Medicaid program, including
11 the management of the Medicaid managed care system and the
12 development, procurement, management, and monitoring of contracts
13 necessary to implement the Medicaid managed care system;

14 (2) adopt reasonable rules and standards governing the
15 determination of fees, charges, and rates for medical assistance
16 payments under Chapter 32, Human Resources Code, in consultation
17 with the agencies that operate the Medicaid program; and

18 (3) establish requirements for and define the scope of
19 the ongoing evaluation of the Medicaid managed care system
20 [~~conducted in conjunction with the Texas Health Care Information~~
21 ~~Council under Section 108.0065, Health and Safety Code].~~

22 SECTION 2. Section 531.0214(b), Government Code, is amended
23 to read as follows:

24 (b) To minimize cost and duplication of activities, the

1 commission shall assist and coordinate:

2 (1) the efforts of the agencies that are participating
3 in the development of the system required by Subsection (a); and

4 (2) the efforts of those agencies with the efforts of
5 other agencies involved in a [~~statewide~~] health care data
6 collection system used by the Department of State Health Services
7 [~~provided for by Section 108.006, Health and Safety Code~~],
8 including avoiding duplication of expenditure of state funds for
9 computer hardware, staff, or services.

10 SECTION 3. Section 2054.0541, Government Code, is amended
11 to read as follows:

12 Sec. 2054.0541. STATEWIDE HEALTH CARE DATA COLLECTION
13 SYSTEM. The department shall assist [~~the Texas Health Care~~
14 ~~Information Council and~~] the [~~Texas~~] Department of State Health
15 Services with planning, analyses, and management functions
16 relating to the procurement, use, and implementation of a
17 [~~statewide~~] health care data collection system used by the
18 Department of State Health Services [~~under Chapter 108, Health and~~
19 ~~Safety Code~~].

20 SECTION 4. Chapter 35, Health and Safety Code, is amended by
21 adding Section 35.014 to read as follows:

22 Sec. 35.014. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
23 services program for children with special health care needs is
24 subject to review under Chapter 325, Government Code (Texas Sunset
25 Act), as if it were a state agency subject to review under that
26 chapter. If the program is not continued in existence in accordance
27 with that chapter, the program is abolished and this chapter

1 expires September 1, 2019.

2 (b) To the extent that Chapter 325, Government Code (Texas
3 Sunset Act), places a duty on a state agency subject to review under
4 that chapter, the department shall perform the duty as it relates to
5 the program.

6 SECTION 5. Chapter 36, Health and Safety Code, is amended by
7 adding Section 36.015 to read as follows:

8 Sec. 36.015. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
9 screening program for special senses and communication disorders
10 established under this chapter is subject to review under Chapter
11 325, Government Code (Texas Sunset Act), as if it were a state
12 agency subject to review under that chapter. If the program is not
13 continued in existence in accordance with that chapter, the program
14 is abolished and this chapter expires September 1, 2019.

15 (b) To the extent that Chapter 325, Government Code (Texas
16 Sunset Act), places a duty on a state agency subject to review under
17 that chapter, the department shall perform the duty as it relates to
18 the program.

19 SECTION 6. Chapter 37, Health and Safety Code, is amended by
20 adding Section 37.007 to read as follows:

21 Sec. 37.007. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
22 program to detect abnormal spinal curvature in children established
23 under this chapter is subject to review under Chapter 325,
24 Government Code (Texas Sunset Act), as if it were a state agency
25 subject to review under that chapter. If the program is not
26 continued in existence in accordance with that chapter, the program
27 is abolished and this chapter expires September 1, 2019.

1 (b) To the extent that Chapter 325, Government Code (Texas
2 Sunset Act), places a duty on a state agency subject to review under
3 that chapter, the department shall perform the duty as it relates to
4 the program.

5 SECTION 7. Chapter 38, Health and Safety Code, is amended by
6 adding Section 38.003 to read as follows:

7 Sec. 38.003. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
8 program for the control and eradication of pediculosis in minors
9 established under this chapter is subject to review under Chapter
10 325, Government Code (Texas Sunset Act), as if it were a state
11 agency subject to review under that chapter. If the program is not
12 continued in existence in accordance with that chapter, the program
13 is abolished and this chapter expires September 1, 2019.

14 (b) To the extent that Chapter 325, Government Code (Texas
15 Sunset Act), places a duty on a state agency subject to review under
16 that chapter, the department shall perform the duty as it relates to
17 the program.

18 SECTION 8. Chapter 39, Health and Safety Code, is amended by
19 adding Section 39.007 to read as follows:

20 Sec. 39.007. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
21 children's outreach heart program is subject to review under
22 Chapter 325, Government Code (Texas Sunset Act), as if it were a
23 state agency subject to review under that chapter. If the program
24 is not continued in existence in accordance with that chapter, the
25 program is abolished and this chapter expires September 1, 2019.

26 (b) To the extent that Chapter 325, Government Code (Texas
27 Sunset Act), places a duty on a state agency subject to review under

1 that chapter, the department shall perform the duty as it relates to
2 the program.

3 SECTION 9. Chapter 40, Health and Safety Code, is amended by
4 adding Section 40.008 to read as follows:

5 Sec. 40.008. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
6 epilepsy program established under this chapter is subject to
7 review under Chapter 325, Government Code (Texas Sunset Act), as if
8 it were a state agency subject to review under that chapter. If the
9 program is not continued in existence in accordance with that
10 chapter, the program is abolished and this chapter expires
11 September 1, 2019.

12 (b) To the extent that Chapter 325, Government Code (Texas
13 Sunset Act), places a duty on a state agency subject to review under
14 that chapter, the department shall perform the duty as it relates to
15 the program.

16 SECTION 10. Chapter 41, Health and Safety Code, is amended
17 by adding Section 41.008 to read as follows:

18 Sec. 41.008. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
19 hemophilia assistance program is subject to review under Chapter
20 325, Government Code (Texas Sunset Act), as if it were a state
21 agency subject to review under that chapter. If the program is not
22 continued in existence in accordance with that chapter, the program
23 is abolished and this chapter expires September 1, 2019.

24 (b) To the extent that Chapter 325, Government Code (Texas
25 Sunset Act), places a duty on a state agency subject to review under
26 that chapter, the department shall perform the duty as it relates to
27 the program.

1 SECTION 11. Chapter 42, Health and Safety Code, is amended
2 by adding Section 42.019 to read as follows:

3 Sec. 42.019. SUNSET PROVISION. The kidney health care
4 division is subject to Chapter 325, Government Code (Texas Sunset
5 Act). Unless continued in existence as provided by that chapter,
6 the division is abolished and this chapter expires September 1,
7 2019.

8 SECTION 12. Chapter 43, Health and Safety Code, is amended
9 by adding Section 43.015 to read as follows:

10 Sec. 43.015. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
11 oral health improvement services program is subject to review under
12 Chapter 325, Government Code (Texas Sunset Act), as if it were a
13 state agency subject to review under that chapter. If the program
14 is not continued in existence in accordance with that chapter, the
15 program is abolished and this chapter expires September 1, 2019.

16 (b) To the extent that Chapter 325, Government Code (Texas
17 Sunset Act), places a duty on a state agency subject to review under
18 that chapter, the department shall perform the duty as it relates to
19 the program.

20 SECTION 13. Chapter 46, Health and Safety Code, is amended
21 by adding Section 46.008 to read as follows:

22 Sec. 46.008. APPLICATION OF SUNSET ACT TO SYSTEM. (a) The
23 system created by Section 46.002(a) is subject to review under
24 Chapter 325, Government Code (Texas Sunset Act), as if it were a
25 state agency subject to review under that chapter. If the system is
26 not continued in existence in accordance with that chapter, the
27 system is abolished and this chapter expires September 1, 2019.

1 (b) To the extent that Chapter 325, Government Code (Texas
2 Sunset Act), places a duty on a state agency subject to review under
3 that chapter, the department shall perform the duty as it relates to
4 the system.

5 SECTION 14. Chapter 47, Health and Safety Code, is amended
6 by adding Section 47.010 to read as follows:

7 Sec. 47.010. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
8 newborn hearing screening, tracking, and intervention program is
9 subject to review under Chapter 325, Government Code (Texas Sunset
10 Act), as if it were a state agency subject to review under that
11 chapter. If the program is not continued in existence in accordance
12 with that chapter, the program is abolished and this chapter
13 expires September 1, 2019.

14 (b) To the extent that Chapter 325, Government Code (Texas
15 Sunset Act), places a duty on a state agency subject to review under
16 that chapter, the department shall perform the duty as it relates to
17 the program.

18 SECTION 15. Section 81.010, Health and Safety Code, is
19 amended by adding Subsection (1) to read as follows:

20 (1) The Interagency Coordinating Council for HIV and
21 Hepatitis is subject to Chapter 325, Government Code (Texas Sunset
22 Act). Unless continued in existence as provided by that chapter,
23 the council is abolished and this section expires September 1,
24 2019.

25 SECTION 16. Chapter 83, Health and Safety Code, is amended
26 by adding Section 83.0085 to read as follows:

27 Sec. 83.0085. APPLICATION OF SUNSET ACT TO PROGRAM. (a)

1 The program created by Section 83.008 is subject to review under
2 Chapter 325, Government Code (Texas Sunset Act), as if it were a
3 state agency subject to review under that chapter. If the program
4 is not continued in existence in accordance with that chapter, the
5 program is abolished and this chapter expires September 1, 2019.

6 (b) To the extent that Chapter 325, Government Code (Texas
7 Sunset Act), places a duty on a state agency subject to review under
8 that chapter, the department shall perform the duty as it relates to
9 the program.

10 SECTION 17. Subchapter B, Chapter 85, Health and Safety
11 Code, is amended by adding Section 85.045 to read as follows:

12 Sec. 85.045. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
13 state grant program established under this subchapter is subject to
14 review under Chapter 325, Government Code (Texas Sunset Act), as if
15 it were a state agency subject to review under that chapter. If the
16 program is not continued in existence in accordance with that
17 chapter, the program is abolished and this subchapter expires
18 September 1, 2019.

19 (b) To the extent that Chapter 325, Government Code (Texas
20 Sunset Act), places a duty on a state agency subject to review under
21 that chapter, the department shall perform the duty as it relates to
22 the program.

23 SECTION 18. Subchapter C, Chapter 85, Health and Safety
24 Code, is amended by adding Section 85.067 to read as follows:

25 Sec. 85.067. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
26 Texas HIV medication program is subject to review under Chapter
27 325, Government Code (Texas Sunset Act), as if it were a state

1 agency subject to review under that chapter. If the program is not
2 continued in existence in accordance with that chapter, the program
3 is abolished and this subchapter expires September 1, 2019.

4 (b) To the extent that Chapter 325, Government Code (Texas
5 Sunset Act), places a duty on a state agency subject to review under
6 that chapter, the department shall perform the duty as it relates to
7 the program.

8 SECTION 19. Subchapter D, Chapter 85, Health and Safety
9 Code, is amended by adding Section 85.090 to read as follows:

10 Sec. 85.090. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
11 testing, registration, and counseling programs established under
12 this subchapter are subject to review under Chapter 325, Government
13 Code (Texas Sunset Act), as if they were a state agency subject to
14 review under that chapter. If the programs are not continued in
15 existence in accordance with that chapter, the programs are
16 abolished and this subchapter expires September 1, 2019.

17 (b) To the extent that Chapter 325, Government Code (Texas
18 Sunset Act), places a duty on a state agency subject to review under
19 that chapter, the department shall perform the duty as it relates to
20 the programs.

21 SECTION 20. Subchapter A, Chapter 86, Health and Safety
22 Code, is amended by adding Section 86.006 to read as follows:

23 Sec. 86.006. SUNSET PROVISION. The advisory council is
24 subject to Chapter 325, Government Code (Texas Sunset Act). Unless
25 continued in existence as provided by that chapter, the council is
26 abolished and this subchapter expires September 1, 2019.

27 SECTION 21. Section 86.012, Health and Safety Code, is

1 amended by adding Subsection (c) to read as follows:

2 (c) The advisory committee is subject to Chapter 325,
3 Government Code (Texas Sunset Act). Unless continued in existence
4 as provided by that chapter, the committee is abolished and this
5 section expires September 1, 2019.

6 SECTION 22. Section 86.103, Health and Safety Code, is
7 amended by adding Subsection (c) to read as follows:

8 (c) The advisory council is subject to Chapter 325,
9 Government Code (Texas Sunset Act). Unless continued in existence
10 as provided by that chapter, the council is abolished and this
11 section expires September 1, 2019.

12 SECTION 23. Chapter 90, Health and Safety Code, is amended
13 by adding Section 90.004 to read as follows:

14 Sec. 90.004. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
15 osteoporosis program created by Section 90.002 is subject to review
16 under Chapter 325, Government Code (Texas Sunset Act), as if it were
17 a state agency subject to review under that chapter. If the program
18 is not continued in existence in accordance with that chapter, the
19 program is abolished and this chapter expires September 1, 2019.

20 (b) To the extent that Chapter 325, Government Code (Texas
21 Sunset Act), places a duty on a state agency subject to review under
22 that chapter, the department shall perform the duty as it relates to
23 the program.

24 SECTION 24. Chapter 91, Health and Safety Code, is amended
25 by adding Section 91.004 to read as follows:

26 Sec. 91.004. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
27 program created by Section 91.002 is subject to review under

1 Chapter 325, Government Code (Texas Sunset Act), as if it were a
2 state agency subject to review under that chapter. If the program
3 is not continued in existence in accordance with that chapter, the
4 program is abolished and this chapter expires September 1, 2019.

5 (b) To the extent that Chapter 325, Government Code (Texas
6 Sunset Act), places a duty on a state agency subject to review under
7 that chapter, the department shall perform the duty as it relates to
8 the program.

9 SECTION 25. Subchapter A, Chapter 93, Health and Safety
10 Code, is amended by adding Section 93.015 to read as follows:

11 Sec. 93.015. SUNSET PROVISION. The Council on
12 Cardiovascular Disease and Stroke is subject to Chapter 325,
13 Government Code (Texas Sunset Act). Unless continued in existence
14 as provided by that chapter, the council is abolished and this
15 chapter expires September 1, 2019.

16 SECTION 26. Chapter 97, Health and Safety Code, is amended
17 by adding Section 97.008 to read as follows:

18 Sec. 97.008. APPLICATION OF SUNSET ACT TO PROGRAM. (a) The
19 arthritis control and prevention program is subject to review under
20 Chapter 325, Government Code (Texas Sunset Act), as if it were a
21 state agency subject to review under that chapter. If the program
22 is not continued in existence in accordance with that chapter, the
23 program is abolished and this chapter expires September 1, 2019.

24 (b) To the extent that Chapter 325, Government Code (Texas
25 Sunset Act), places a duty on a state agency subject to review under
26 that chapter, the department shall perform the duty as it relates to
27 the program.

1 SECTION 27. Chapter 98, Health and Safety Code, as added by
2 Chapter 359 (S.B. 288), Acts of the 80th Legislature, Regular
3 Session, 2007, is amended by adding Section 98.003 to read as
4 follows:

5 Sec. 98.003. SUNSET PROVISION. The Advisory Panel on
6 Health Care-Associated Infections and Preventable Adverse Events
7 is subject to Chapter 325, Government Code (Texas Sunset Act).
8 Unless continued in existence as provided by that chapter, the
9 advisory panel is abolished and this chapter expires September 1,
10 2019.

11 SECTION 28. Chapter 101, Health and Safety Code, is amended
12 by adding Section 101.011 to read as follows:

13 Sec. 101.011. SUNSET PROVISION. The Texas Council on
14 Alzheimer's Disease and Related Disorders is subject to Chapter
15 325, Government Code (Texas Sunset Act). Unless continued in
16 existence as provided by that chapter, the council is abolished and
17 this chapter expires September 1, 2019.

18 SECTION 29. Chapter 103, Health and Safety Code, is amended
19 by adding Section 103.020 to read as follows:

20 Sec. 103.020. SUNSET PROVISION. The Texas Diabetes Council
21 is subject to Chapter 325, Government Code (Texas Sunset Act).
22 Unless continued in existence as provided by that chapter, the
23 council is abolished and this chapter expires September 1, 2019.

24 SECTION 30. Section 105.002(b), Health and Safety Code, is
25 amended to read as follows:

26 (b) To [~~In conjunction with the committee formed under~~
27 ~~Section 104.0155, to avoid duplication of effort, and to]~~ the

1 extent funding is available through fees collected under Section
2 301.155(c), Occupations Code, the council shall establish a nursing
3 resource section within the center for the collection and analysis
4 of educational and employment trends for nurses in this state.

5 SECTION 31. Sections 105.008(e) and (h), Health and Safety
6 Code, are amended to read as follows:

7 (e) The nursing resource section shall contract with an
8 independent researcher to develop the research design and conduct
9 the research. The independent researcher must be selected by a
10 selection committee composed of:

11 (1) ~~[one representative elected by a majority of the~~
12 ~~nursing advisory committee under Section 104.0155, who is the chair~~
13 ~~of the selection committee,~~

14 ~~[(2)]~~ one representative designated by the Texas
15 Health Care Policy Council;

16 (2) ~~[(3)]~~ the presiding officer of the Texas Board of
17 Nursing;

18 (3) ~~[(4)]~~ one representative of the Texas Higher
19 Education Coordinating Board, designated by the governor;

20 (4) ~~[(5)]~~ one representative designated by the Texas
21 Hospital Association;

22 (5) ~~[(6)]~~ one representative designated by the Texas
23 Association of Business; and

24 (6) ~~[(7)]~~ one representative designated by a clinical
25 competency assessment program that meets the requirements of
26 Section 301.157(d-8), Occupations Code~~, and~~

27 ~~[(8) the nurse researcher member of the nursing~~

1 ~~advisory committee under Section 104.0155].~~

2 (h) The executive commissioner of the Health and Human
3 Services Commission [~~nursing advisory committee formed under~~
4 ~~Section 104.0155]~~ shall oversee [~~serve as the oversight committee~~
5 ~~for~~] the study.

6 SECTION 32. Chapter 105, Health and Safety Code, is amended
7 by adding Section 105.009 to read as follows:

8 Sec. 105.009. EXPIRATION. This chapter expires July 1,
9 2014.

10 SECTION 33. Chapter 112, Health and Safety Code, is amended
11 by adding Section 112.015 to read as follows:

12 Sec. 112.015. SUNSET PROVISION. The Border Health
13 Foundation is subject to Chapter 325, Government Code (Texas Sunset
14 Act). Unless continued in existence as provided by that chapter,
15 the foundation is abolished and this chapter expires September 1,
16 2019.

17 SECTION 34. Section 113.002, Health and Safety Code, is
18 amended to read as follows:

19 Sec. 113.002. SUNSET PROVISION; ABOLISHMENT. The Texas
20 Organ, Tissue, and Eye Donor Council is subject to Chapter 325,
21 Government Code (Texas Sunset Act). Unless continued in existence
22 as provided by that chapter, the council is abolished and this
23 chapter expires September 1, 2019 [~~2017~~], unless the department and
24 the council mutually determine that the public interest is best
25 served by abolition of the council and agree to abolish the council
26 on an earlier date.

27 SECTION 35. The heading to Chapter 114, Health and Safety

1 Code, is amended to read as follows:

2 CHAPTER 114. [~~INTERAGENCY~~] OBESITY COORDINATION EFFORT [~~COUNCIL~~]

3 SECTION 36. Section 114.001, Health and Safety Code, is
4 amended to read as follows:

5 Sec. 114.001. DEFINITION. In this chapter, "institution of
6 higher education" has the meaning assigned by Section 61.003,
7 Education Code [~~"council" means the interagency obesity council~~
8 ~~created by this chapter~~].

9 SECTION 37. Section 114.005, Health and Safety Code, is
10 amended to read as follows:

11 Sec. 114.005. REVIEW OF AGENCY PROGRAMS. The institutions
12 of higher education that receive state money for obesity research
13 [~~council~~] shall jointly review the status of the programs of the
14 Department of Agriculture, the Department of State Health Services,
15 and the Texas Education Agency that promote better health and
16 nutrition and prevent obesity among children and adults in this
17 state.

18 SECTION 38. Sections 114.007(a) and (b), Health and Safety
19 Code, are amended to read as follows:

20 (a) Not later than January 15 of each even-numbered
21 [~~odd-numbered~~] year, the institutions of higher education
22 performing the review under Section 114.005 [~~the council~~] shall
23 jointly submit a report to the governor, the lieutenant governor,
24 and the speaker of the house of representatives on the activities of
25 the institutions [~~council~~] under Section [~~Sections~~] 114.005 [~~and~~
26 ~~114.006~~] during the preceding two calendar years.

27 (b) A report submitted by the institutions of higher

1 education [~~council~~] under Subsection (a) must include the following
2 information regarding discussions of agency programs under Section
3 114.005:

4 (1) a list of the programs within each agency
5 [~~represented on the council~~] that are designed to promote better
6 health and nutrition;

7 (2) an assessment of the steps taken by each program
8 during the preceding two calendar years;

9 (3) a report of the progress made by taking these steps
10 in reaching each program's goals;

11 (4) the areas of improvement that are needed in each
12 program; and

13 (5) recommendations for future goals or legislation.

14 SECTION 39. Section 115.012, Health and Safety Code, as
15 added by Chapters 835 (S.B. 1824) and 1133 (H.B. 2196), Acts of the
16 81st Legislature, Regular Session, 2009, is amended to read as
17 follows:

18 Sec. 115.012. SUNSET PROVISION. The Interagency Task Force
19 for Children With Special Needs is subject to Chapter 325,
20 Government Code (Texas Sunset Act). Unless continued in existence
21 as provided by that chapter, the task force is abolished and this
22 chapter expires September 1, 2019 [~~2015~~].

23 SECTION 40. Section 221.005(b), Health and Safety Code, is
24 amended to read as follows:

25 (b) This chapter does not exempt a corporation or user from
26 compliance with Chapter [~~104 or~~] 225.

27 SECTION 41. Section 222.022(1), Health and Safety Code, is

1 amended to read as follows:

2 (1) "Health care facility" means a public or private
3 hospital, skilled nursing facility, intermediate care facility,
4 ambulatory surgical center, family planning clinic that performs
5 ambulatory surgical procedures, rural or urban health initiative
6 clinic, end stage renal disease facility, or inpatient
7 rehabilitation facility. The term does not include the office of
8 physicians or practitioners of the healing arts practicing
9 individually or in groups or [~~has the meaning assigned by Section~~
10 ~~104.002, except that the term does not include~~] a chemical
11 dependency treatment facility licensed by the Department of State
12 Health Services [~~Texas Commission on Alcohol and Drug Abuse~~].

13 SECTION 42. Section 311.033(d), Health and Safety Code, is
14 amended to read as follows:

15 (d) A hospital that does not submit to the department the
16 data required under this section is subject to civil penalties
17 under Section 311.0331 [~~104.043~~].

18 SECTION 43. Subchapter C, Chapter 311, Health and Safety
19 Code, is amended by adding Section 311.0331 to read as follows:

20 Sec. 311.0331. FAILURE TO SUBMIT DATA; CIVIL PENALTY. (a)
21 If the department does not receive necessary data from a hospital as
22 required by Section 311.033, the department shall send to the
23 hospital a notice requiring the hospital to submit the data not
24 later than the 30th day after the date on which the hospital
25 receives the notice.

26 (b) A hospital that does not submit the data during the
27 period determined under Subsection (a) is subject to a civil

1 penalty of not more than \$500 for each day after the period that
2 hospital fails to submit the data.

3 (c) At the request of the executive commissioner of the
4 Health and Human Services Commission, the attorney general shall
5 sue in the name of the state to recover the civil penalty.

6 SECTION 44. Section 501.253(a), Insurance Code, is amended
7 to read as follows:

8 (a) The office is entitled to information that is
9 confidential under a law of this state, including Section 843.006
10 of this code[~~, Chapter 108, Health and Safety Code,~~] and Chapter
11 552, Government Code.

12 SECTION 45. Section 577.016(a), Health and Safety Code, is
13 amended to read as follows:

14 (a) The department may deny, suspend, or revoke a license if
15 the department finds that the applicant or licensee has
16 substantially failed to comply with:

- 17 (1) department rules;
18 (2) this subtitle; or
19 (3) Chapter [~~Chapters 104 and~~] 225.

20 SECTION 46. The following laws are repealed:

- 21 (1) Chapter 104, Health and Safety Code;
22 (2) Chapter 107, Health and Safety Code;
23 (3) Chapter 108, Health and Safety Code;
24 (4) Chapter 109, Health and Safety Code; and
25 (5) Sections 114.002, 114.003, 114.004, 114.006,
26 114.007(c), and 114.008, Health and Safety Code.

27 SECTION 47. On September 1, 2011:

1 (1) the statewide health coordinating council is
2 abolished;

3 (2) all property in the custody of the statewide
4 health coordinating council is transferred to the Department of
5 State Health Services; and

6 (3) all contracts, leases, rights, and obligations of
7 the statewide health coordinating council are transferred to the
8 Department of State Health Services.

9 SECTION 48. On September 1, 2011:

10 (1) the health disparities task force is abolished;

11 (2) all property in the custody of the health
12 disparities task force is transferred to the Department of State
13 Health Services; and

14 (3) all contracts, leases, rights, and obligations of
15 the health disparities task force are transferred to the Department
16 of State Health Services.

17 SECTION 49. On September 1, 2011:

18 (1) the Texas Health Care Policy Council is abolished;

19 (2) all property in the custody of the Texas Health
20 Care Policy Council is transferred to the Department of State
21 Health Services; and

22 (3) all contracts, leases, rights, and obligations of
23 the Texas Health Care Policy Council are transferred to the
24 Department of State Health Services.

25 SECTION 50. On September 1, 2011:

26 (1) the Interagency Obesity Council is abolished;

27 (2) all property in the custody of the Interagency

1 Obesity Council is transferred to the Department of State Health
2 Services; and

3 (3) all contracts, leases, rights, and obligations of
4 the Interagency Obesity Council are transferred to the Department
5 of State Health Services.

6 SECTION 51. This Act takes effect September 1, 2011.