

A BILL TO BE ENTITLED

AN ACT

relating to the reestablishment of the Texas Bleeding Disorders  
Advisory Council.

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

SECTION 1. Subtitle E, Title 2, Health and Safety Code, is  
amended by adding Chapter 103A to read as follows:

CHAPTER 103A. TEXAS BLEEDING DISORDERS ADVISORY COUNCIL

Sec. 103A.001. DEFINITIONS. In this chapter:

(1) "Commissioner" means the commissioner of state  
health services.

(2) "Council" means the Texas Bleeding Disorders  
Advisory Council.

(3) "Department" means the Department of State Health  
Services.

(4) "Hemophilia" has the meaning assigned by Section  
41.001.

Sec. 103A.002. COMPOSITION OF COUNCIL. (a) The council is  
composed of:

(1) the commissioner and the commissioner of  
insurance, or their designees, serving as nonvoting members; and

(2) 10 voting members jointly appointed by the  
commissioner and the commissioner of insurance as follows:

(A) one member who is a physician licensed to  
practice medicine in this state under Subtitle B, Title 3,

1 Occupations Code, who at the time of appointment treats individuals  
2 with hemophilia or other bleeding or clotting disorders;

3 (B) one member who is a nurse licensed under  
4 Chapter 301, Occupations Code, who at the time of appointment  
5 treats individuals with hemophilia or other bleeding or clotting  
6 disorders;

7 (C) one member who is a social worker licensed  
8 under Chapter 505, Occupations Code, who at the time of appointment  
9 treats individuals with hemophilia or other bleeding or clotting  
10 disorders;

11 (D) two members who are representatives of  
12 hemophilia treatment centers in this state, at least one of which is  
13 federally funded;

14 (E) one member who is a representative of a  
15 health insurer or other health benefit plan issuer that holds a  
16 certificate of authority issued by the Texas Department of  
17 Insurance;

18 (F) one member who is a representative of a  
19 volunteer or nonprofit health organization that serves residents of  
20 this state who have hemophilia or another bleeding or clotting  
21 disorder;

22 (G) one member who has hemophilia or is a  
23 caregiver of a person with hemophilia;

24 (H) one member who has a bleeding disorder other  
25 than hemophilia or is a caregiver of a person with a bleeding  
26 disorder other than hemophilia; and

27 (I) one member who has a clotting disorder or is a

1 caregiver of a person with a clotting disorder.

2 (b) In addition to council members appointed under  
3 Subsection (a), the commissioner and the commissioner of insurance  
4 may jointly appoint up to five nonvoting members, including:

5 (1) persons with hemophilia or other bleeding or  
6 clotting disorders or caregivers of persons with hemophilia or  
7 other bleeding or clotting disorders; and

8 (2) persons experienced in the diagnosis, treatment,  
9 care, and support of persons with hemophilia or other bleeding or  
10 clotting disorders.

11 Sec. 103A.003. VACANCY. If a vacancy occurs on the council,  
12 the commissioner and the commissioner of insurance shall jointly  
13 appoint a person to serve for the remainder of the unexpired term.

14 Sec. 103A.004. PRESIDING OFFICER. Council members shall  
15 elect from among the voting council members a presiding officer.  
16 The presiding officer retains all voting rights.

17 Sec. 103A.005. COMPENSATION AND REIMBURSEMENT. A council  
18 member may not receive compensation for service on the council, but  
19 may be reimbursed for actual and necessary expenses incurred while  
20 performing council business.

21 Sec. 103A.006. MEETINGS. The council shall meet at least  
22 quarterly and at the call of the commissioner or presiding officer.

23 Sec. 103A.007. DUTIES OF COUNCIL. The council shall  
24 conduct studies and advise the department, the Health and Human  
25 Services Commission, and the Texas Department of Insurance on  
26 issues that affect the health and wellness of persons living with  
27 hemophilia or other bleeding or clotting disorders, including:

1           (1) legislative or administrative changes to policies  
2 and programs that affect the health and wellness of persons with  
3 hemophilia or other bleeding or clotting disorders, including  
4 policies and programs regarding access to appropriate health  
5 insurance or similar health coverage;

6           (2) legislative or administrative changes to policies  
7 and programs that affect product-specific reimbursement to  
8 providers, including policies and programs regarding new payment  
9 methods for:

10           (A) anti-hemophilia factor that include various  
11 reimbursement methodologies for products dispensed under the  
12 Medicaid program; or

13           (B) other appropriate treatment;

14           (3) best practices in standards of care and treatment  
15 for persons with hemophilia or other bleeding or clotting  
16 disorders;

17           (4) the establishment of community-based initiatives  
18 to disseminate information on services and related activities  
19 available for persons living with hemophilia or other bleeding or  
20 clotting disorders to the medical and health care community, the  
21 academic community, primary caregivers, advocacy associations, and  
22 the public; and

23           (5) the coordination of public and private support  
24 networking systems for persons living with hemophilia or other  
25 bleeding or clotting disorders and primary caregivers.

26           Sec. 103A.008. ANNUAL REPORTS BY COUNCIL AND COMMISSIONER.

27           (a) Not later than December 1 of each even-numbered year, the

1 council shall submit a report of its findings and recommendations  
2 to the governor, the lieutenant governor, and the speaker of the  
3 house of representatives. The council's report must be made public  
4 and is subject to public review and comment before adoption by the  
5 council.

6 (b) Not later than six months after the date the council's  
7 annual report is issued, the commissioner shall report on efforts  
8 to implement the recommendations in the report. The commissioner's  
9 annual report must:

- 10 (1) be made available to the public; and  
11 (2) include any related state or national activities  
12 in which the council participates.

13 Sec. 103A.009. GIFTS, GRANTS, AND DONATIONS. The  
14 commissioner may accept for the council gifts, grants, and  
15 donations to fulfill the council's purposes and duties under this  
16 chapter.

17 Sec. 103A.010. CERTAIN FUNDING PROHIBITED. The council may  
18 not accept any funds that are appropriated by the legislature and  
19 designated for the treatment of hemophilia or other bleeding or  
20 clotting disorders.

21 Sec. 103A.011. ADMINISTRATIVE SUPPORT. The department  
22 shall provide reasonably necessary administrative support for  
23 council activities.

24 Sec. 103A.012. EXPIRATION. This chapter expires and the  
25 council is abolished September 1, 2015.

26 SECTION 2. As soon as practicable after the effective date  
27 of this Act and not later than December 1, 2011, the commissioner of

1 state health services and the commissioner of insurance shall  
2 jointly appoint members to the Texas Bleeding Disorders Advisory  
3 Council as required by Section 103A.002, Health and Safety Code, as  
4 added by this Act.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2011.