| **House Bill 3278**  Senate Amendments  Section-by-Section Analysis | | |
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| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| SECTION 1. Subchapter B, Chapter 7, Education Code, is amended by adding Section 7.030 to read as follows:  Sec. 7.030. ADVISORY COMMITTEE PARTICIPATION. (a) Notwithstanding any other provision of law, the agency is not required to participate in the Advisory Committee on Reducing Drug Demand.  (b) This section does not prohibit the agency from participating in the advisory committee specified under Subsection (a). | SECTION 1. Same as House version. |  |
| SECTION 2. Section 449.004(a), Government Code, is amended to read as follows:  (a) The commission is composed of 17 [~~18~~] members as follows:  (1) 15 public members appointed as follows:  (A) five public members appointed by the governor;  (B) five public members appointed by the lieutenant governor; and  (C) five public members appointed by the speaker of the house of representatives; and  (2) two [~~three~~] ex officio members as follows:  (A) [~~the commissioner of education;~~  [~~(B)~~] the commissioner of higher education; and  (B) [~~(C)~~] the executive director of the Texas Veterans Commission. | No equivalent provision. |  |
| SECTION 3. Section 535.051(b), Government Code, is amended to read as follows:  (b) The chief administrative officer of each of the following state agencies, in consultation with the governor, shall designate one employee from the agency to serve as a liaison for faith- and community-based organizations:  (1) the Office of Rural Community Affairs;  (2) the Texas Commission on Environmental Quality;  (3) the Texas Department of Criminal Justice;  (4) the Texas Department of Housing and Community Affairs;  (5) [~~the Texas Education Agency;~~  [~~(6)~~] the Texas Juvenile Probation Commission;  (6) [~~(7)~~] the Texas Veterans Commission;  (7) [~~(8)~~] the Texas Workforce Commission;  (8) [~~(9)~~] the Texas Youth Commission; and  (9) [~~(10)~~] other state agencies as determined by the governor. | SECTION 2. Same as House version. |  |
| SECTION 4. Section 772.011(b), Government Code, is amended to read as follows:  (b) The work group is composed of the heads of the following agencies or their designees:  (1) the Texas Department of Rural Affairs;  (2) the Texas Department of Housing and Community Affairs;  (3) the Texas Water Development Board;  (4) the Texas Department of Transportation;  (5) the Texas Commission on Environmental Quality;  (6) the Texas Workforce Commission;  (7) the Department of State Health Services;  (8) the Health and Human Services Commission;  (9) the General Land Office;  (10) [~~the Texas Education Agency;~~  [~~(11)~~] the Texas Economic Development and Tourism Office;  (11) [~~(12)~~] the Office of State-Federal Relations;  (12) [~~(13)~~] the Texas Higher Education Coordinating Board;  (13) [~~(14)~~] the attorney general's office;  (14) [~~(15)~~] the secretary of state's office;  (15) [~~(16)~~] the Department of Public Safety; and  (16) [~~(17)~~] the Railroad Commission of Texas. | SECTION 3. Same as House version. |  |
| SECTION 5. Section 81.010(c), Health and Safety Code, is amended to read as follows:  (c) The council consists of one representative from each of the following agencies appointed by the executive director or commissioner of each agency:  (1) the Department of State Health Services;  (2) the Department of Aging and Disability Services;  (3) the Department of Assistive and Rehabilitative Services;  (4) the Department of Family and Protective Services;  (5) the Texas Youth Commission;  (6) the Texas Department of Criminal Justice;  (7) the Texas Juvenile Probation Commission;  (8) [~~the Texas Education Agency;~~  [~~(9)~~] the Texas Medical Board;  (9) [~~(10)~~] the Texas Board of Nursing;  (10) [~~(11)~~] the State Board of Dental Examiners;  (11) [~~(12)~~] the Health and Human Services Commission;  (12) [~~(13)~~] the Texas Workforce Commission; and  (13) [~~(14)~~] the Texas Higher Education Coordinating Board. | SECTION 4. Same as House version. |  |
| SECTION 6. Section 92.053(b), Health and Safety Code, is amended to read as follows:  (b) The council is composed of the following appointed [~~22~~] members [~~appointed as follows~~]:  (1) eight public consumer members appointed by the executive commissioner of the Health and Human Services Commission [~~health and human services~~], at least three of whom must be individuals related to persons with a traumatic brain injury and at least three of whom must be persons with a brain injury;  (2) six professional members appointed by the executive commissioner of the Health and Human Services Commission [~~health and human services~~], each of whom must have special training and interest in the care, treatment, or rehabilitation of persons with a traumatic brain injury, with one representative each from:  (A) acute hospital trauma units;  (B) the National Institute for Disability Rehabilitation Research Traumatic Brain Injury Model System in this state;  (C) acute or post-acute rehabilitation facilities;  (D) community-based services;  (E) faculties of institutions of higher education; and  (F) providers in the areas of physical therapy, occupational therapy, or cognitive rehabilitation; and  (3) [~~eight~~] state agency members, with one representative from each of the following agencies appointed by the chief executive officer of the agency:  (A) each health and human services agency identified as appropriate for representation on the council by the executive commissioner of the Health and Human Services Commission; and [~~Texas Department of Health;~~]  (B) the [~~Texas Department of Human Services;~~  [~~(C) Texas Department of Mental Health and Mental Retardation;~~  [~~(D) Texas Rehabilitation Commission;~~  [~~(E) Health and Human Services Commission;~~  [~~(F) Texas Education Agency;~~  [~~(G) Texas Planning Council for Developmental Disabilities; and~~  [~~(H)~~] Texas Department of Insurance. | No equivalent provision. |  |
| SECTION 7. Section 93.002(a), Health and Safety Code, is amended to read as follows:  (a) The Council on Cardiovascular Disease and Stroke is composed of:  (1) 11 public members appointed by the governor, with the advice and consent of the senate, as follows:  (A) a licensed physician with a specialization in cardiology;  (B) a licensed physician with a specialization in neurology to treat stroke;  (C) a licensed physician employed in a primary care setting;  (D) a registered nurse with a specialization in quality improvement practices for cardiovascular disease and stroke;  (E) a registered and licensed dietitian;  (F) two persons with experience and training in public health policy, research, or practice;  (G) two consumer members, with special consideration given to persons actively participating in the Texas affiliates of the American Heart Association or American Stroke Association, managed care, or hospital or rehabilitation settings; and  (H) two members from the general public that have or care for persons with cardiovascular disease or stroke; and  (2) one nonvoting member representing each of the state agencies that oversee:  (A) health services;  (B) [~~education;~~  [~~(C)~~] assistive and rehabilitative services; and  (C) [~~(D)~~] aging and disability services. | SECTION 5. Same as House version. |  |
| SECTION 8. Section 103.002(a), Health and Safety Code, is amended to read as follows:  (a) The Texas Diabetes Council is composed of 11 citizen members appointed from the public and one representative each from the department, [~~the Texas Education Agency,~~] the Health and Human Services Commission [~~Texas Department of Human Services~~], and the Department of Assistive and Rehabilitative Services [~~Texas Commission for the Blind, and the Texas Rehabilitation Commission~~]. | SECTION 6. Same as House version. |  |
| SECTION 9. Sections 103.017(a) and (c), Health and Safety Code, are amended to read as follows:  (a) The department, the Department of Assistive and Rehabilitative Services [~~Texas Commission for the Blind, the Texas Rehabilitation Commission~~], and the Health and Human Services Commission [~~Texas Department of Human Services, and the Texas Education Agency~~] shall work with the council to jointly develop, produce, and implement a general public awareness strategy focusing on diabetes, its complications, and techniques for achieving good management. Each agency shall pay for the costs of producing and disseminating information on diabetes to clients served by that agency.  (c) The department, the Department of Assistive and Rehabilitative Services [~~Texas Commission for the Blind, the Texas Rehabilitation Commission~~], and the Health and Human Services Commission [~~Texas Department of Human Services, and the Texas Education Agency~~] may jointly develop and implement a statewide plan for conducting regional training sessions for public and private service providers, including institutional health care providers, who have routine contact with persons with diabetes. | SECTION 7. Same as House version. |  |
| SECTION 10. Sections 614.002(a) and (e), Health and Safety Code, are amended to read as follows:  (a) The Advisory Committee to the Texas Board of Criminal Justice on Offenders with Medical or Mental Impairments is composed of 29 [~~31~~] members.  (e) The executive head of each of the following agencies, divisions of agencies, or associations, or that person's designated representative, shall serve as a member of the committee:  (1) the correctional institutions division of the Texas Department of Criminal Justice;  (2) the Department of State Health Services;  (3) the parole division of the Texas Department of Criminal Justice;  (4) the community justice assistance division of the Texas Department of Criminal Justice;  (5) the Texas Juvenile Probation Commission;  (6) the Texas Youth Commission;  (7) the Department of Assistive and Rehabilitative Services;  (8) [~~the Texas Education Agency;~~  [~~(9)~~] the Correctional Managed Health Care Committee;  (9) [~~(10)~~] the Mental Health Association in Texas;  (10) [~~(11)~~] the Board of Pardons and Paroles;  (11) [~~(12)~~] the Commission on Law Enforcement Officer Standards and Education;  (12) [~~(13)~~] the Texas Council of Community Mental Health and Mental Retardation Centers;  (13) [~~(14)~~] the Commission on Jail Standards;  (14) [~~(15)~~] the Texas Council for Developmental Disabilities;  (15) [~~(16)~~] the Texas Association for Retarded Citizens;  (16) [~~(17)~~] the National Alliance for the Mentally Ill of Texas;  (17) [~~(18)~~] the Parent Association for the Retarded of Texas, Inc.;  (18) [~~(19)~~] the Health and Human Services Commission; and  (19) [~~(20)~~] the Department of Aging and Disability Services. | SECTION 8. Same as House version. |  |
| SECTION 11. Section 121.0015(b), Human Resources Code, is amended to read as follows:  (b) The work group is composed of a representative of each health and human services agency designated by the executive commissioner of the Health and Human Services Commission. The commissioner of each designated agency shall appoint the representative for that agency [~~the:~~  [~~(1) Texas Education Agency, appointed by the commissioner of education;~~  [~~(2) Texas Commission for the Blind, appointed by the commissioner of that agency;~~  [~~(3) Texas Department of Mental Health and Mental Retardation, appointed by the commissioner of mental health and mental retardation;~~  [~~(4) Texas Rehabilitation Commission, appointed by the commissioner of that agency; and~~  [~~(5) Texas Commission for the Deaf and Hard of Hearing, appointed by the executive director of that agency~~]. | SECTION 9. Same as House version. |  |
| SECTION 12. Section 1802.102(a), Occupations Code, is amended to read as follows:  (a) The advisory board consists of six [~~seven~~] members appointed as follows:  (1) three members who are licensed auctioneers appointed by the presiding officer of the commission, with the commission's approval;  (2) the executive director of the Texas Economic Development and Tourism Office or the director's designee; and  (3) [~~the commissioner of education or the commissioner's designee; and~~  [~~(4)~~] two public members. | SECTION 10. Same as House version. |  |
| SECTION 13. 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, 2011. | SECTION 11. Same as House version. |  |