

By: Zaffirini  
(Guillen)

S.B. No. 50

A BILL TO BE ENTITLED

AN ACT

relating to the Children's Policy Council, including the composition of the council.

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

SECTION 1. Subsections (a), (b), (e), (f), (g), (i), (j), (k), and (l), Section 22.035, Human Resources Code, are amended to read as follows:

(a) A work group to be known as the Children's Policy Council shall assist the Department of Aging and Disability Services ~~[department]~~, the Health and Human Services Commission ~~[commissioner of health and human services]~~, the ~~[Texas]~~ Department of State Health Services, the ~~[Texas]~~ Department of Assistive and Rehabilitative Services ~~[Mental Health and Mental Retardation]~~, and the Department of Family and Protective ~~[and Regulatory]~~ Services in developing, implementing, and administering family support policies for children with disabilities relating to:

- (1) ~~[and related]~~ long-term services and supports;
- (2) health services; and
- (3) mental ~~[care and]~~ health services ~~[programs for children]~~.

(b) The executive commissioner of the Health and Human Services Commission ~~[health and human services]~~ shall appoint the members of the work group, which must include the following:

- (1) a person who is younger than 22 years of age and is

1 a consumer of long-term care and health programs for children;

2 (2) an individual who is younger than 25 years of age  
3 and who receives or has received mental health services;

4 (3) relatives of consumers of long-term care and  
5 health programs for children 26 years of age or younger;

6 (4) ~~[(3)]~~ a representative from an organization that  
7 is an advocate for consumers of long-term care and health programs  
8 for children;

9 ~~[(4) a representative from a state agency that~~  
10 ~~provides long-term care and health programs for children;]~~

11 (5) a person from a private entity that provides  
12 long-term care and health programs for children;

13 (6) a person from a public entity that provides  
14 long-term care and health programs for children;

15 (7) a person with expertise in the availability of  
16 funding and the application of funding formulas for children's  
17 long-term care and health services;

18 (8) a representative from a faith-based organization;

19 (9) a representative from a nonspecialized community  
20 services organization; and

21 (10) a representative from a business that is not  
22 related to providing services to persons with disabilities.

23 (e) The Health and Human Services Commission ~~[department~~  
24 ~~and the Texas Department of Health]~~ shall ~~[equally]~~ provide  
25 administrative support, including staff, to the work group.

26 (f) A member of the work group serves at the will of the  
27 executive commissioner of the Health and Human Services Commission

1 ~~[health and human services]~~.

2 (g) The executive commissioner of the Health and Human  
3 Services Commission ~~[health and human services]~~ shall appoint a  
4 member of the work group to serve as a presiding officer.

5 (i) A member of the work group receives no additional  
6 compensation for serving on the work group. Consumers and  
7 relatives of consumers serving on the work group shall be  
8 reimbursed for travel and other expenses necessary for  
9 participation as provided in the General Appropriations Act. Other  
10 members of the work group may not be reimbursed for travel or other  
11 expenses incurred while conducting the business of the work group.  
12 Reimbursement under this subsection shall be paid equally out of  
13 funds appropriated to the Department of Aging and Disability  
14 Services ~~[department]~~ and funds appropriated to the ~~[Texas]~~  
15 Department of State Health Services.

16 (j) The work group may ~~[shall]~~ study and make  
17 recommendations in the following areas:

18 (1) access of a child or a child's family to effective  
19 case management services, including case management services with a  
20 single case manager, parent case managers, or independent case  
21 managers;

22 (2) the transition needs of children who reach an age  
23 at which they are no longer eligible for services at the ~~[Texas]~~  
24 Department of State Health Services, the Texas Education Agency,  
25 and other applicable state agencies;

26 (3) the blending of funds, including case management  
27 funding, for children needing long-term care, and ~~[and]~~ health

1 services, and mental health services;

2 (4) collaboration and coordination of children's  
3 services between the Department of Aging and Disability Services  
4 ~~[department]~~, the ~~[Texas]~~ Department of State Health Services, the  
5 ~~[Texas]~~ Department of Assistive and Rehabilitative Services, the  
6 Department of Family and Protective Services ~~[Mental Health and~~  
7 ~~Mental Retardation]~~, and any other agency determined to be  
8 applicable by the work group;

9 (5) budgeting and the use of funds appropriated for  
10 children's long-term care services, and children's health  
11 services, and mental health services;

12 (6) services and supports for families providing care  
13 for children with disabilities;

14 (7) effective permanency planning for children who  
15 reside in institutions or who are at risk of placement in an  
16 institution;

17 (8) barriers to enforcement of regulations regarding  
18 institutions that serve children with disabilities; and

19 (9) the provision of services under the medical  
20 assistance program to children younger than 23 years of age with  
21 disabilities or special health care needs under a waiver granted  
22 under Section 1915(c) of the federal Social Security Act (42 U.S.C.  
23 Section 1396n(c)).

24 (k) Not later than September 1 of each even-numbered year,  
25 the work group shall report on its findings and recommendations to  
26 the legislature and the executive commissioner of the Health and  
27 Human Services Commission ~~[health and human services]~~.

1           (1) After evaluating and considering recommendations  
2 reported under Subsection (k), the executive commissioner of the  
3 Health and Human Services Commission shall adopt rules to implement  
4 guidelines for providing long-term care, ~~[and]~~ health services, and  
5 mental health services to children with disabilities.

6           SECTION 2. Subsection (f), Section 531.159, Government  
7 Code, is amended to read as follows:

8           (f) The commission by rule shall develop procedures by which  
9 to conduct the reviews required by Subsections (c), (d), and (e).  
10 In developing the procedures, the commission may ~~[shall]~~ seek input  
11 from the work group on children's long-term services, ~~[care and]~~  
12 health services, and mental health services ~~[programs]~~ established  
13 under Section 22.035, Human Resources Code.

14           SECTION 3. As soon as possible after the effective date of  
15 this Act, the executive commissioner of the Health and Human  
16 Services Commission shall appoint three additional members to the  
17 Children's Policy Council. In appointing members, the executive  
18 commissioner shall consider appointing members with expertise in  
19 mental health services.

20           SECTION 4. This Act takes effect September 1, 2013.