

By: Zaffirini

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. Sections 22.035(a), (b), (e), (f), (g), (i), (j), (k), and (l), 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;

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. Section 531.159(f), Government Code, is amended
7 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.