

1-1 By: Zaffirini S.B. No. 50
1-2 (In the Senate - Filed November 12, 2012; January 28, 2013,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 4, 2013, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 March 4, 2013, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Nelson	X		
1-10	Deuell	X		
1-11	Huffman	X		
1-12	Nichols	X		
1-13	Schwertner	X		
1-14	Taylor	X		
1-15	Uresti	X		
1-16	West	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 50 By: Zaffirini

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the Children's Policy Council, including the
1-22 composition of the council.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subsections (a), (b), (e), (f), (g), (i), (j),
1-25 (k), and (l), Section 22.035, Human Resources Code, are amended to
1-26 read as follows:

1-27 (a) A work group to be known as the Children's Policy
1-28 Council shall assist the Department of Aging and Disability
1-29 Services ~~[department]~~, the Health and Human Services Commission
1-30 ~~[commissioner of health and human services]~~, the ~~[Texas]~~ Department
1-31 of State Health Services, the ~~[Texas]~~ Department of Assistive and
1-32 Rehabilitative Services ~~[Mental Health and Mental Retardation]~~,
1-33 and the Department of Family and Protective ~~[and Regulatory]~~
1-34 Services in developing, implementing, and administering family
1-35 support policies for children with disabilities relating to:

1-36 (1) ~~[and related]~~ long-term services and supports;

1-37 (2) health services; and

1-38 (3) mental ~~[care and]~~ health services ~~[programs for~~
1-39 ~~children]~~.

1-40 (b) The executive commissioner of the Health and Human
1-41 Services Commission ~~[health and human services]~~ shall appoint the
1-42 members of the work group, which must include the following:

1-43 (1) a person who is younger than 22 years of age and is
1-44 a consumer of long-term care and health programs for children;

1-45 (2) an individual who is younger than 25 years of age
1-46 and who receives or has received mental health services;

1-47 (3) relatives of consumers of long-term care and
1-48 health programs for children 26 years of age or younger;

1-49 (4) ~~[(3)]~~ a representative from an organization that
1-50 is an advocate for consumers of long-term care and health programs
1-51 for children;

1-52 ~~[(4) a representative from a state agency that~~
1-53 ~~provides long-term care and health programs for children;]~~

1-54 (5) a person from a private entity that provides
1-55 long-term care and health programs for children;

1-56 (6) a person from a public entity that provides
1-57 long-term care and health programs for children;

1-58 (7) a person with expertise in the availability of
1-59 funding and the application of funding formulas for children's
1-60 long-term care and health services;

(8) a representative from a faith-based organization;
 (9) a representative from a nonspecialized community services organization; and

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

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

(f) A member of the work group serves at the will of the executive commissioner of the Health and Human Services Commission ~~[health and human services]~~.

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

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

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

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

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

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

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

(5) budgeting and the use of funds appropriated for children's long-term care services, ~~[and children's]~~ health services, and mental health services;

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

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

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

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

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

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

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

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

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

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

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