

By: Nelson
(Price)

S.B. No. 80

A BILL TO BE ENTITLED

AN ACT

relating to certain required reports prepared by state agencies and other governmental entities.

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

SECTION 1. Section 51.751(b), Education Code, is amended to read as follows:

(b) The center shall examine the efficiency of the public school system and the effectiveness of instructional methods and curricular programs and promote the use of successful methods and programs. The center shall monitor and evaluate the implementation of the accountability system under Chapter 39 ~~[and provide annual progress reports to the governor, Legislative Budget Board, and commissioner of education]~~.

SECTION 2. Section 531.421, Government Code, is amended to read as follows:

Sec. 531.421. DEFINITIONS. In this subchapter:

(1) "Children with severe emotional disturbances" includes:

(A) children who are at risk of incarceration or placement in a residential mental health facility;

(B) children for whom a court may appoint the Department of Family and Protective Services as managing conservator;

(C) children who are students in a special

1 education program under Subchapter A, Chapter 29, Education Code;
2 and

3 (D) children who have a substance abuse disorder
4 or a developmental disability.

5 (2) "Community resource coordination group" means a
6 coordination group established under a memorandum of understanding
7 adopted under Section 531.055.

8 (3) [~~"Consortium" means the Texas System of Care~~
9 ~~Consortium established under Subchapter G-1.~~

10 [~~(4)~~] "Systems of care services" means a comprehensive
11 state system of mental health services and other necessary and
12 related services that is organized as a coordinated network to meet
13 the multiple and changing needs of children with severe emotional
14 disturbances and their families.

15 SECTION 3. Section 531.422(c), Government Code, is amended
16 to read as follows:

17 (c) Each community resource coordination group shall submit
18 the report described by Subsection (b) to the commission
19 [~~consortium~~]. The commission [~~consortium~~] shall provide a deadline
20 to each group for submitting the reports. The time frame for
21 completing the reports must be coordinated with any regional
22 reviews by the commission of the delivery of related services.

23 SECTION 4. Section 531.423, Government Code, is amended to
24 read as follows:

25 Sec. 531.423. SUMMARY REPORT BY COMMISSION [~~CONSORTIUM~~].
26 (a) The commission [~~consortium~~] shall create a summary report
27 based on the evaluations in the reports submitted to the commission

1 ~~[consortium]~~ by community resource coordination groups under
2 Section 531.422. The commission's ~~[consortium's]~~ report must
3 include recommendations for policy and statutory changes at each
4 agency that is involved in the provision of systems of care services
5 and the outcome expected from implementing each recommendation.

6 (b) The commission ~~[consortium]~~ shall coordinate, where
7 appropriate, the recommendations in the report created under this
8 section with recommendations in the assessment developed under S.B.
9 No. 491, Acts of the 78th Legislature, Regular Session, 2003, and
10 with the continuum of care developed under S.B. No. 490, Acts of the
11 78th Legislature, Regular Session, 2003.

12 (c) The commission ~~[consortium]~~ may include in the report
13 created under this section recommendations for the statewide
14 expansion of sites participating in the Texas System of Care
15 Framework and the integration of services provided at those sites
16 with services provided by community resource coordination groups.

17 (d) The commission ~~[consortium]~~ shall provide a copy of the
18 report created under this section to each agency for which the
19 report makes a recommendation and to other agencies as appropriate.

20 SECTION 5. Section 2056.002(d), Government Code, is amended
21 to read as follows:

22 (d) A state agency shall send two copies of each plan to both
23 the Legislative Reference Library and the state publications
24 clearinghouse of the Texas State Library and one copy each to:

- 25 (1) the governor;
- 26 (2) the lieutenant governor;
- 27 (3) the speaker of the house of representatives;

- 1 (4) the Legislative Budget Board;
- 2 (5) [~~the Sunset Advisory Commission,~~
- 3 [~~6~~] the state auditor; and
- 4 (6) [~~7~~] the Department of Information Resources.

5 SECTION 6. Section 2102.009, Government Code, is amended to
6 read as follows:

7 Sec. 2102.009. ANNUAL REPORT. The internal auditor shall
8 prepare an annual report and submit the report before November 1 of
9 each year to the governor, the Legislative Budget Board, [~~the~~
10 ~~Sunset Advisory Commission,~~] the state auditor, the state agency's
11 governing board, and the administrator. The state auditor shall
12 prescribe the form and content of the report, subject to the
13 approval of the legislative audit committee.

14 SECTION 7. Section 2102.0091(a), Government Code, is
15 amended to read as follows:

16 (a) A state agency shall file with the division of the
17 governor's office responsible for budget and policy [~~Sunset~~
18 ~~Advisory Commission, the Governor's Office of Budget, Planning, and~~
19 ~~Policy~~], the state auditor, and the Legislative Budget Board a copy
20 of each report submitted to the state agency's governing board or
21 the administrator of the state agency if the state agency does not
22 have a governing board by the agency's internal auditor.

23 SECTION 8. Section 2306.908, Government Code, is amended to
24 read as follows:

25 Sec. 2306.908. REPORT. The council shall submit annually a
26 progress report to the governing bodies of the agencies represented
27 on the council, other than the governing body of the Department of

1 Aging and Disability Services or its successor agency.

2 SECTION 9. The heading to Subchapter E, Chapter 386, Health
3 and Safety Code, is amended to read as follows:

4 SUBCHAPTER E. EVALUATION OF UTILITY COMMISSION [~~AND COMPTROLLER~~]

5 ENERGY EFFICIENCY PROGRAMS

6 SECTION 10. Section 386.205, Health and Safety Code, is
7 amended to read as follows:

8 Sec. 386.205. EVALUATION OF UTILITY COMMISSION [~~AND~~
9 ~~COMPTROLLER~~] ENERGY EFFICIENCY PROGRAMS. In cooperation with the
10 laboratory, the utility commission shall provide an annual report
11 to the commission that, by county, quantifies the reductions of
12 energy demand, peak loads, and associated emissions of air
13 contaminants achieved [~~from programs implemented by the state~~
14 ~~energy conservation office and~~] from programs implemented under
15 Section 39.905, Utilities Code.

16 SECTION 11. Section 114.008(a), Human Resources Code, is
17 amended to read as follows:

18 (a) Not later than November 1 of each even-numbered year,
19 the council shall:

20 (1) prepare a report summarizing requirements the
21 council identifies and recommendations for providing additional or
22 improved services to persons with autism or other pervasive
23 developmental disorders; and

24 (2) deliver the report to [~~the executive~~
25 ~~commissioner,~~] the governor, the lieutenant governor, and the
26 speaker of the house of representatives.

27 SECTION 12. Section 13.063(b), Utilities Code, is amended

1 to read as follows:

2 (b) The office shall prepare annually a report on the
3 office's activities during the preceding year and submit the report
4 to the standing legislative committees that have jurisdiction over
5 the office, the house appropriations committee, and the senate
6 finance committee[, ~~and the Sunset Advisory Commission~~]. At a
7 minimum, the report must include:

8 (1) a list of the types of activities conducted by the
9 office and the time spent by the office on each activity;

10 (2) the number of hours billed by the office for
11 representing residential or small commercial consumers in
12 proceedings;

13 (3) the number of staff positions and the type of work
14 performed by each position; and

15 (4) the office's rate of success in representing
16 residential or small commercial consumers in appealing commission
17 decisions.

18 SECTION 13. Section 13, Chapter 1282 (H.B. 2), Acts of the
19 84th Legislature, Regular Session, 2015, is amended to read as
20 follows:

21 Sec. 13. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID
22 HEALTH INSURANCE PROVIDERS FEE AND ASSOCIATED FEDERAL INCOME TAX.
23 In addition to amounts previously appropriated for the state fiscal
24 biennium ending August 31, 2015, \$79,685,024 is appropriated out of
25 the general revenue fund, and \$113,570,204 is appropriated out of
26 federal funds, to the Health and Human Services Commission for Goal
27 B, Medicaid, as listed in Chapter 1411 (S.B. 1), Acts of the 83rd

1 Legislature, Regular Session, 2013 (the General Appropriations
2 Act), for the state fiscal year ending August 31, 2015, for the
3 purpose of adjusting Medicaid capitation payments made to managed
4 care organizations providing health care services through managed
5 care plans under the Medicaid program to account for the health
6 insurance providers fee imposed under Section 9010 of the federal
7 Patient Protection and Affordable Care Act (Pub. L. No. 111-148),
8 as amended by the Health Care and Education Reconciliation Act of
9 2010 (Pub. L. No. 111-152), and the associated effects of that fee
10 on federal income taxes. ~~[Before the Health and Human Services
11 Commission makes any capitation payments to managed care
12 organizations that are adjusted using money appropriated under this
13 section, the executive commissioner of the commission shall submit
14 a report to the Legislative Budget Board that specifies:~~

15 ~~[(1) the methodology and bases used to determine the
16 amount of the capitation payment adjustments,~~

17 ~~[(2) the amounts by which capitation payments are
18 adjusted using money appropriated under this section, and~~

19 ~~[(3) whether any managed care organization that is a
20 recipient of a capitation payment adjustment paid using money
21 appropriated under this section was also a recipient of one or more
22 other Medicaid capitation payment adjustments paid during the state
23 fiscal biennium ending August 31, 2013, or August 31, 2015, and the
24 aggregate cost to this state of the other Medicaid capitation
25 payment adjustments paid during those bienniums.]~~

26 SECTION 14. The following provisions are repealed:

27 (1) Section 61.506(g), Education Code;

1 (2) Sections 402.032(g) and 2206.101(d), Government
2 Code;

3 (3) Section 361.0215(d), Health and Safety Code;

4 (4) Section 22.0252(b), Human Resources Code; and

5 (5) Section 26.3574(x), Water Code.

6 SECTION 15. This Act takes effect September 1, 2017.