

## **BILL ANALYSIS**

Senate Research Center  
86R15936 EAS-F

S.B. 2151  
By: Kolkhorst  
Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Diabetes Council was established by the legislature in 1983 and addresses issues affecting people with diabetes in Texas. S.B. 2151 updates the council's statute to reflect its functions, purview, and composition.

As proposed, S.B. 2151 amends current law relating to the Texas Diabetes Council and the state plan for diabetes and obesity treatment and education.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 103.001(2), Health and Safety Code, to redefine: "person with diabetes" as a person diagnosed as having diabetes based on nationally recognized standards, rather than diagnosed by a physician.

SECTION 2. Amends Sections 103.002(a), (b), and (c), Health and Safety Code, as follows:

(a) Provides that the Texas Diabetes Council (council) is composed of 11 citizen members appointed from the public and one representative each from the Department of State Health Services (DSHS), the Health and Human Services Commission (HHSC), the Employees Retirement System of Texas (ERS), the Teacher Retirement System of Texas (TRS), and the Texas Workforce Commission (TWC) vocational rehabilitation services division, rather than from DSHS, HHSC, and the Department of Assistive and Rehabilitative Services (DARS).

(b) Requires the governor, with the advice and consent of the senate to appoint certain citizen members, including three consumer members, with special consideration given to persons active in the Texas affiliates of the Juvenile Diabetes Research Foundation (JDRF), the American Association of Diabetes Educators, or the American Diabetes Association.

(c) Requires the commissioner of DSHS, executive commissioner of HHSC, executive director of ERS, executive director of TRS, and the director of the Texas Workforce Commission vocational rehabilitation services division, rather than the commissioner of DSHS, executive commissioner of HHSC, and the commissioner of DARS to appoint that agency's representative to the council. Makes no other changes to this subsection.

SECTION 3. Amends Section 103.010, Health and Safety Code, as follows:

Sec. 103.010. New heading: STAFF AND ADMINISTRATIVE SUPPORT. (a) Creates this subsection from existing text.

(b) Requires DSHS to provide administrative support to the council by providing research services and preparing any reports required under this chapter (Texas Diabetes Council).

SECTION 4. Amends Section 103.011, Health and Safety Code, as follows:

Sec. 103.011. New heading: **ADVISORY COMMITTEES; WORK GROUPS.** (a) Authorizes the council to establish advisory committees or work groups that the council considers necessary and to determine the appropriate membership for each committee or group.

(b) and (c) Makes conforming changes.

SECTION 5. Amends Section 103.013, Health and Safety Code, by adding Subsection (b-1) to authorize the state plan to include provisions to address obesity treatment, education, and training related to obesity-dependent diabetes, and the health impacts of obesity on a person with diabetes.

SECTION 6. Amends Sections 103.014(a) and (c), Health and Safety Code, as follows:

(a) Requires the council to address contemporary issues affecting health promotion services in the state, including:

(1) professional and patient education;

(2) evidence-based, diabetes self-management education strategies; rather than successful diabetes education strategies;

(3) evidence-based strategies to achieve the council's mission, rather than personnel preparation and continuing education;

(4) state expenditures for the prevention, detection, management, and treatment of diabetes and obesity, rather than state expenditures for treatment of chronic diseases; and

(5) creates Subdivision (5) from Subdivision (6). Deletes existing subdivision (5) including screening services among the provisions of this subsection and includes public awareness of the specific risks and benefits of prevention, detection, management, and treatment of diabetes, including obesity-dependent diabetes.

(c) Authorizes the council to establish priorities and make recommendations for program expenditures that align with the council's mission. Deletes existing text authorizing the council to perform certain tasks.

SECTION 7. Amends Sections 103.017(a) and (c), Health and Safety Code, as follows:

(a) Requires DSHS, HHSC, and TWC vocational rehabilitation services division, rather than DSHS, HHSC, and DARS, to 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.

(c) Makes a conforming change.

SECTION 8. Amends Section 103.0175, Health and Safety Code, as follows:

Sec. 103.0175. **MATERIALS FOR SCHOOL-BASED AND SCHOOL-LINKED CLINICS.** Requires the council, in consultation with DSHS and the Texas Education Agency, rather than in consultation with DSHS, to develop and make available materials that provide information about diabetes to be distributed to students and the parents of

students and the parents of students by health clinics at public primary or secondary schools.

SECTION 9. Effective date: September 1, 2019.