

By: Sheffield

H.B. No. 4121

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Diabetes Council and the state plan for diabetes and obesity treatment and education.

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

SECTION 1. Section 103.001(2), Health and Safety Code, is amended to read as follows:

(2) "Person with diabetes" means a person diagnosed ~~[by a physician]~~ as having diabetes based on nationally recognized standards.

SECTION 2. Sections 103.002(a), (b), and (c), Health and Safety Code, are amended to read as follows:

(a) The Texas Diabetes Council is composed of 11 citizen members appointed from the public and one representative each from the department, the commission, the Employees Retirement System of Texas, the Teacher Retirement System of Texas, and the Texas Workforce Commission vocational rehabilitation services division ~~[Department of Assistive and Rehabilitative Services]~~.

(b) The governor, with the advice and consent of the senate, shall appoint the following citizen members:

(1) a licensed physician with a specialization in treating diabetes;

(2) a registered nurse with a specialization in diabetes education and training;

(3) a registered and licensed dietitian with a

1 specialization in the diabetes education field;

2 (4) a person with experience and training in public
3 health policy;

4 (5) three consumer members, with special
5 consideration given to persons active in the Texas affiliates of
6 the Juvenile Diabetes Research Foundation (JDRF), the American
7 Association of Diabetes Educators, or the American Diabetes
8 Association; and

9 (6) four members from the general public with
10 expertise or demonstrated commitment to diabetes issues.

11 (c) The commissioner, executive commissioner, executive
12 director of the Employees Retirement System of Texas, executive
13 director of the Teacher Retirement System of Texas, and the
14 director of the Texas Workforce Commission vocational
15 rehabilitation services division [~~commissioner of assistive and~~
16 ~~rehabilitative services~~] shall appoint that agency's
17 representative to the council. Agency representatives shall be
18 nonvoting members of the council.

19 SECTION 3. Section 103.011, Health and Safety Code, is
20 amended to read as follows:

21 Sec. 103.011. ADVISORY COMMITTEES; WORK GROUPS. (a) The
22 council may establish advisory committees or work groups that the
23 council considers necessary and may determine the appropriate
24 membership for each committee or group.

25 (b) The council shall specify the purpose and duties of each
26 advisory committee or work group and shall specify any product the
27 committee is required to develop.

1 (c) Members of an advisory committee or work group serve at
2 the will of the council. The council may dissolve an advisory
3 committee or work group when necessary.

4 SECTION 4. Section 103.013(a) and (d), Health and Safety
5 Code, are amended to read as follows:

6 (a) The department, with the assistance of the council,
7 shall develop and implement a state plan for diabetes and obesity
8 treatment, education, and training to ensure that:

9 (1) this chapter is properly implemented by the
10 agencies affected;

11 (2) incentives are offered for private sources to
12 maintain present commitments and to assist in developing new
13 programs; and

14 (3) a procedure for review of individual complaints
15 about services provided under this chapter is implemented.

16 (d) The department [~~council~~] shall submit the state plan to
17 the state agency designated as the state health planning and
18 development agency not later than November 1 of each odd-numbered
19 year.

20 SECTION 5. Section 103.0131, Health and Safety Code, is
21 amended to read as follows:

22 Sec. 103.0131. ASSESSMENT OF PROGRAMS TO PREVENT AND TREAT
23 DIABETES. (a) In conjunction with developing each state plan
24 described in Section 103.013, the department, with the assistance
25 of the council, shall conduct a statewide assessment of existing
26 programs for the prevention of diabetes and treatment of
27 individuals with diabetes that are administered by the commission

1 or a health and human services agency, as defined by Section
2 531.001, Government Code. As part of the assessment, the department
3 ~~[council]~~ shall collect data regarding:

- 4 (1) the number of individuals served by the programs;
- 5 (2) the areas where services to prevent diabetes and
6 treat individuals with diabetes are unavailable; and
- 7 (3) the number of health care providers treating
8 individuals with diabetes under the programs.

9 (b) Not later than November 1 of each odd-numbered year, the
10 department ~~[council]~~ shall submit to the governor, the lieutenant
11 governor, and the legislature a written report containing the
12 findings of the assessment conducted under Subsection (a).

13 SECTION 6. Sections 103.014(a) and (c), Health and Safety
14 Code, are amended to read as follows:

15 (a) The council shall address contemporary issues affecting
16 health promotion services in the state, including:

- 17 (1) professional and patient education;
- 18 (2) evidence-based ~~[successful]~~ diabetes
19 self-management education strategies;
- 20 (3) evidence-based strategies to achieve the council's
21 mission ~~[personnel preparation and continuing education]~~;
- 22 (4) state expenditures for the prevention, detection,
23 management, and treatment of diabetes and obesity ~~[chronic~~
24 ~~diseases]~~; and
- 25 (5) ~~[screening services, and~~
26 ~~(6)]~~ public awareness of the specific risks and
27 benefits of diabetes and obesity prevention, detection,

1 management, and treatment.

2 (c) The council may establish priorities and make
3 recommendations for program expenditures that align with the
4 council's mission[+

5 [~~(1) compile and publish regional directories of~~
6 ~~services for persons with diabetes;~~

7 [~~(2) design or adapt and publish a handbook in English~~
8 ~~and Spanish relating to diet, exercise, and other self-care~~
9 ~~management skills for persons with diabetes;~~

10 [~~(3) study the feasibility of a statewide hotline for~~
11 ~~persons with diabetes; and~~

12 [~~(4) study the standards and structure of pilot~~
13 ~~programs to provide diabetes education and training in this state].~~

14 SECTION 7. Sections 103.017(a) and (c), Health and Safety
15 Code, are amended to read as follows:

16 (a) The department, commission, and Texas Workforce
17 Commission vocational rehabilitation services division [~~Department~~
18 ~~of Assistive and Rehabilitative Services]~~ shall work with the
19 council to jointly develop, produce, and implement a general public
20 awareness strategy focusing on diabetes, its complications, and
21 techniques for achieving good management. Each agency shall pay for
22 the costs of producing and disseminating information on diabetes to
23 clients served by that agency.

24 (c) The department, commission, and Texas Workforce
25 Commission vocational rehabilitation services division [~~Department~~
26 ~~of Assistive and Rehabilitative Services]~~ may jointly develop and
27 implement a statewide plan for conducting regional training

1 sessions for public and private service providers, including
2 institutional health care providers, who have routine contact with
3 persons with diabetes.

4 SECTION 8. Section 103.0175, Health and Safety Code, is
5 amended to read as follows:

6 Sec. 103.0175. MATERIALS FOR SCHOOL-BASED AND
7 SCHOOL-LINKED CLINICS. The council, in consultation with the
8 department and the Texas Education Agency, shall develop and make
9 available materials that provide information about diabetes to be
10 distributed to students and the parents of students by health
11 clinics at public primary or secondary schools.

12 SECTION 9. This Act takes effect September 1, 2019.