

BILL ANALYSIS

H.B. 4139
By: Coleman
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are calls to update certain matters regarding the center for elimination of disproportionality and disparities that is maintained by the Health and Human Services Commission (HHSC) to not only expand certain purposes conferred on the center but to also transfer them to a new office maintained by HHSC that is more robust and less isolated in fulfilling those purposes. The calls further recognize that the pandemic has uniquely exposed certain health disparities that need evaluation. For example, previous considerations of disparities have not always been comprehensive and have excluded from those considerations the social determinates of health.

H.B. 4139 seeks to address these pointed calls by effecting these updates and the transfer. The bill renames the center as the Office of Health Equity, updates and expands the purposes and duties transferred to the office, and requires the office to work with other state agencies to address social determinants of health. The bill also requires a study to assess the disproportionate effect the COVID-19 pandemic has had on certain population in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4139 amends the Health and Safety Code to remove the requirement that the executive commissioner of the Health and Human Services Commission (HHSC) maintain a center for elimination of disproportionality and disparities in HHSC for purposes of decreasing or eliminating health and health access disparities in certain populations but provides for the transfer of the center's purposes, powers, and duties to the Office for Health Equity, maintained by the executive commissioner.

H.B. 4139 transfers the purposes of the center to the office and includes among those purposes:

- assuming a leadership role in working or contracting with certain entities to implement health initiatives to create health equity; and
- seeking out certain entities to coordinate and maximize use of existing resources without duplicating existing efforts.

The bill authorizes the office to:

- serve as the primary state resource in implementing access to health care services to eliminate health disparities;

- pursue and administer grant funds for innovative projects for universities;
- publicize, distribute, and implement information and evidence based strategies to promote health equity and eliminate health disparities and minority health issues through the use of the media;
- network with existing faith-based organizations;
- investigate and report on issues related to health and health access disparities among multicultural, ethnic, disadvantaged, gender, age, language, and regional populations;
- coordinate and work with local health authorities to collect and report data related to those disparities and making that de-identified data readily available to the public;
- monitor existing and emerging trends in behavioral health, morbidity, and mortality among those populations;
- develop and implement short term and long term strategies to promote health equity and eliminate health and health access disparities among those populations;
- monitor the progress of HHSC and the providers it contracts with in promoting health equity and eliminating the health and health access disparities;
- advise and assist HHSC on the implementation of any targeted programs or funding authorized by the legislature to address those disparities and on provider contracting to ensure that HHSC contracts with providers that promote health equity and eliminate those disparities; and
- examine the role that disparities in education, criminal justice, housing, economic opportunity, environment, and other social determinants contribute to disparities in health access and outcomes and how health disparities impact access to educational, housing, and economic opportunity.

H.B. 4139 authorizes HHSC to distribute to the office appropriations of money to the fund by the legislature or gifts, grants, including grants from the federal government, and other donations received for the fund. The bill requires HHSC to work with the office during all contract procurement to ensure that providers promote health equity and eliminate health and health access disparities among multicultural, disadvantaged, ethnic, gender, age, language, and regional populations. The bill requires the office to assist providers contracted with HHSC to implement programs and strategies that promote health equity and eliminate those disparities.

H.B. 4139 authorizes the office to work with other Texas agencies to advise and assist in implementation of programs and strategies aimed at eliminating social determinants that cause those disparities.

H.B. 4139 requires a study to be conducted to assess the disproportionate effect the COVID-19 pandemic has had on racial, multicultural, ethnic, disadvantaged, gender, age, and regional populations in Texas. The applicable entity conducting the study must do the following:

- determine whether the COVID-19 pandemic disproportionately affected certain racial, multicultural, ethnic, disadvantaged, gender, age, language, and regional populations in Texas;
- identify the underlying causes of a disproportionate effect on a particular population by the pandemic, if it is determined that the population was disproportionately affected; and
- recommend policies and procedures for promoting health equity during a future natural disaster, pandemic, or other public health emergency.

The bill requires submission of a written report on the results of the study and any recommendations for legislative or other action to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature. The report must be submitted not later than December 1, 2022, and the provisions of the bill relating to the COVID-19 disparities study and report expire August 31, 2023.

EFFECTIVE DATE

September 1, 2021.