

BILL ANALYSIS

C.S.S.B. 601
By: Hall
Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

As the state's main advocate for veterans, the Texas Veterans Commission (TVC) has worked diligently since 1927 to provide services to the nation's second-largest veteran population and improve the quality of life for all Texas veterans and their families. Subject to review and abolishment under the Texas Sunset Act, the Sunset Advisory Commission found few legislative concerns in its review of the TVC and reported that most stakeholders seem happy with TVC services and programs. C.S.S.B. 601 seeks to continue the TVC with certain statutory modifications aimed at pushing the TVC toward an attitude of continuous improvement, including with regard to claims counseling services and the efficiency and transparency of TVC grant programs.

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

C.S.S.B. 601 amends the Government Code to postpone from September 1, 2019, to September 1, 2031, the date on which the Texas Veterans Commission (TVC) is abolished unless continued in existence as provided by the Texas Sunset Act. The bill revises provisions relating to commission member training, requires the executive director of the TVC annually to create and distribute a copy of a related training manual to each commission member, and requires each member to sign and submit to the executive director a statement acknowledging receipt of the manual. The bill sets out transition provisions relating to additional training for members appointed before the bill's effective date. The bill requires the TVC to take the following actions:

- annually evaluate and set priorities for each program it administers to meet the changing needs of veterans in Texas;
- annually set concrete goals for staff and measure the staff's performance; and
- establish success measures and corresponding targets for each program and report the program's progress in meeting the measures and targets in any annual internal report for that program and, not later than June 1, 2020, in the TVC strategic plan.

The bill lists the factors that the TVC is required to consider in setting priorities for its programs. The bill sets December 1, 2019, as the deadline by which the TVC is required to complete the initial evaluation of and set priorities for each TVC program and establish the success measures and corresponding targets for each program. The bill sets February 1, 2020, as the deadline by which the TVC is required to include the success measures and corresponding targets and any preliminary data from those measures in any annual internal reports for those programs.

C.S.S.B. 601 requires the TVC to regularly evaluate claims assistance services staffing to determine where counselors and special team staff are most needed and requires the evaluation to include the workload of staff, the number of veterans who requested claims assistance services at a claims assistance services office and failed to receive assistance the same day, the percentage of those veterans who received assistance at a later date, and the quality of claims prepared at each of the claims assistance services offices. The bill requires the TVC regularly to evaluate the needs and performance of any special claims assistance resources provided by the legislature, including the state strike force team and the fully developed claims team, and request to adjust staffing for those resources as appropriate. The bill requires the TVC regularly to collect detailed information on the outcome of claims and use that information to evaluate and improve claims assistance services and to track and evaluate, at a minimum, the quality of claims submitted to the state strike force team, the percentage of claims developed through claims assistance services that are processed as fully developed claims by the U.S. Department of Veterans Affairs (VA), the success rate of claims and appeals developed through claims assistance services, and the average processing time for claims and appeals by the VA. The bill requires the TVC, in documenting the success rate of claims and appeals, to include in a consolidated report each claim, the corresponding decision by the VA, and the status and outcome of any appeal. The bill requires the TVC to publish on its website the most recent needs assessment that identifies the specific high-priority needs of veterans and the services available to address those needs.

C.S.S.B. 601 requires a county commissioners court that maintains and operates a veterans county service office, before selecting an individual for appointment as a veterans county service officer, to solicit applications from individuals interested in being appointed as an officer, including by posting notice for at least 30 consecutive days on the TVC website and the online system for listing state agency employment openings maintained by the Texas Workforce Commission (TWC). The bill authorizes the commissioners court, if the court is unable to appoint an individual who meets the applicable requirements, to apply to the TVC for approval to appoint an individual who does not meet those requirements. The bill requires the TVC to approve such an appointment if the commissioners court provides to the TVC a certified letter from a local chapter of the Veterans of Foreign Wars and from a local chapter of the American Legion stating that the commissioners court solicited applications from members of those chapters and provides proof that the commissioners court posted notice soliciting applications on the TVC website and the online system for listing state agency employment openings maintained by the TWC for at least 90 days. The bill makes an individual whose appointment is approved by the TVC eligible for a certificate of completion of training if the individual meets certification requirements.

C.S.S.B. 601 requires an individual, to be eligible for appointment as a program director to administer the mental health program for veterans to:

- have at least a master's degree in a recognized mental health field;
- be licensed in this state to practice a mental health profession;
- have multiple years of postgraduate experience in a human services setting, such as a community mental health center, chemical dependency rehabilitation center, or residential treatment facility;
- have experience in providing mental health services with primary care teams, with preference given to a candidate with at least four years of that experience;
- have experience in providing population-based care, with preference given to a candidate with at least two years of that experience; and
- have experience in providing trauma-informed care, with preference given to a candidate with at least two years of that experience.

The bill establishes that an individual is not eligible to hold the position of program director after

December 1, 2019, unless the individual satisfies the eligibility requirements, regardless of when the individual was first appointed to the position.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 601 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute changes the criteria for the evaluation of claims assistance services staffing.

The substitute changes the required qualifications for eligibility for appointment as a veterans county service officer. The substitute includes a process by which the commissioners court is required to solicit applications from individuals interested in being appointed as an officer. The substitute includes a process by which the TVC approves the appointment of a person who does not meet the eligibility requirements and a provision allowing such an appointee to be eligible for a certain certification.

The substitute does not include a repeal of Section 434.033(c), Government Code.

The substitute includes a provision setting out eligibility requirements for appointment as a program director to administer the mental health program for veterans and a provision establishing that an individual who does not meet those criteria is not eligible to hold the position after a certain date, regardless of when the individual was first appointed.