

## **BILL ANALYSIS**

C.S.H.B. 4094  
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Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Most state agencies are required to report vendor performance for certain large contracts through the vendor performance tracking system maintained by the comptroller of public accounts. Procurements made by the state's health and human services agencies, which include the Health and Human Services Commission (HHSC), follow an alternative procurement tracking system. After the Department of Family and Protective Services (DFPS) became a stand-alone state agency in 2017, the comptroller's office determined in a post-payment audit that DFPS was not a health and human services agency and was thus no longer exempt from the vendor performance tracking requirements. Another result of the determination is that DFPS would be unable to rely on HHSC's client services procurement authority for procuring certain DFPS contracts. C.S.H.B. 4094 seeks to remedy this situation so that DFPS may use the alternative procurement procedures for the state's health and human services agencies.

### **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.H.B. 4094 amends the Government Code to exempt a child-specific contract entered into by the Department of Family and Protective Services (DFPS) for a child without placement from vendor performance review and reporting requirements. The bill classifies DFPS as a health and human services agency for purposes of provisions establishing separate procurement procedures for these agencies.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 4094 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.