

SUBJECT: Creating the Health and Human Services Policy Council

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 9 ayes — Wolens, S. Turner, Carter, Counts, Craddick, Hunter, Longoria,
 McCall, Ramsay

 0 nays

 6 absent — Alvarado, Brimer, Danburg, Hilbert, D. Jones, Stiles

WITNESSES: For — None

 Against — None

 On — Mike McKinney, Health and Human Services Commission

DIGEST: HB 2385 would create a new state agency, the Health and Human Services
Policy Council, on September 1, 1997. The policy council would be
required to submit to the Legislature every two years a plan detailing the
actions necessary to promote an effective health and human services system.
In setting the policy council's research priorities, the executive director of
the policy council would be required to consult with the governor, the
lieutenant governor, the speaker of the House, and the chairman of each
standing legislative committee with jurisdiction over health and human
services issues.

 The governor would appoint the council's executive director, with Senate
consent, and would be permitted to establish other advisory councils, task
forces, or commissions considered necessary to advise the policy council.

 The policy council would be permitted to contract with public or private
entities in performing its duties and would be allowed to accept grants and
donations from public and private entities in addition to legislative
appropriations. The executive director would be required to prepare an
annual financial report and could employ council staff.

The policy council would undergo sunset review during the next interim and would be abolished September 1, 1999, unless reauthorized by the Legislature. During the next sunset review period, the Sunset Advisory Commission would be required to determine whether the following agencies should remain independent entities and what their relationship should be to the Health and Human Services Policy Council: the Texas Cancer Council, the Center for Rural Health Initiatives, the Children's Trust Fund of Texas Council, the Texas Commission for the Deaf and Hard of Hearing, the Texas Diabetes Council, the Texas Health Care Information Council, the Interagency Council on Early Childhood Intervention Services, the Office for the Prevention of Developmental Disabilities, the Texas Planning Council for Development Disabilities and the statewide health coordinating council.

The bill would include in the policy council's enabling statute standard provisions addressing:

- development by the executive director or a designee of an equal employment policy, an intra-agency career ladder, and a system of annual employee performance evaluations;
- conflicts of interest of executive director and employees and removal of executive director;
- compliance with state and federal programs and facility accessibility laws; and
- collection and maintenance of information about complaints made against the policy council.

The bill would take effect September 1, 1997.

**SUPPORTERS
SAY:**

The Health and Human Services Policy Council would play a pivotal role in helping the Legislature and the governor make long-term policy relating to health and human services in Texas. The policy council would conduct research and provide long-range planning expertise to policy makers. The sheer size and complexity of the state's health and human services area warrant a separate, independent body that answers to policy makers to provide expert objective information on these important issues.

Health and human services represents more than 20 percent of the state budget and involves 13 agencies, including the Department of Health, the Department of Human Services, the Department of Mental Health and Mental Retardation, the Department of Housing and Community Affairs, and the Texas Workforce Commission. The state needs an agency that can look at all of the agencies and programs involved in health and human services and give policy makers advice and direction. Although the individual agencies do good work, their vantage point is limited, and the council would provide an overall, independent perspective, much like the Criminal Justice Policy Council does on criminal issues.

Health and human service policy issues are complex and are heavily intertwined with federal policies and funding, especially with regard to welfare and Medicaid. Some health and human services issues include managing federal block grants for welfare and Medicaid and the implementation of Medicaid waiver programs and overall federal welfare reform and its effect on Texas. The council could assist in providing thorough, timely information on these programs and how best to maximize federal funding.

HB 2385 would also direct the Sunset Advisory Commission to review whether ten existing agencies performing research, information and coordination activities should remain independent and what their relationship should be with the new policy council. Setting up the policy council now would establish a framework for determining how best to provide objective research and analysis of health and human services needs and programs and eliminate possible overlap and duplication in this area.

**OPPONENTS
SAY:**

Although there might be a need for a Health and Human Service Policy Council, it would be premature to create a new state agency in this area. Health and human services agencies will be undergoing sunset review next session, and the Legislature should wait to hear sunset commission recommendations before creating a new policy council. The sunset commission could not review and evaluate the operations of an agency that has just been created because there would be no body of information to review.