

SUBJECT: Reporting requirements for health and human services agencies

COMMITTEE: Human Services — committee substitute recommended

VOTE: 6 ayes — Rose, Darby, Elkins, Hernandez, Naishtat, Walle

0 nays

3 absent — Herrero, Hughes, Legler

SENATE VOTE: On final passage, April 30 — 31-0, on Local and Uncontested Calendar

WITNESSES: None

DIGEST: CSSB 2396 would amend Government Code, ch. 531 by adding sec. 531.0145 which would require, no later than December 1, 2009, the executive commissioner of the Health and Human Services Commission (HHSC) to examine the health and human services agency reporting requirements established by state law before January 1, 2007, and not amended since, and identify each requirement the commissioner determined was:

- not necessary to accomplish the objectives of the law that contained the requirement;
- redundant of other statutory reporting requirements; or
- required under statute to be provided at a frequency for which data was unavailable.

The commissioner could not include in the report a reporting requirement required by federal law, or that applied to another state agency in addition to a health and human services agency.

The commissioner would have to provide an initial report that included each statutory reporting requirement for which the commissioner made the determination and the justification for the determination for each requirement, publish a copy of the initial report in the *Texas Register*, post a copy of it on the commission's website, hold a public hearing on the report no later than the 60th day after issuing the report, and provide the

initial report to:

- the governor
- the lieutenant governor;
- the speaker of the House of Representatives;
- the chairs of the Senate Health and Human Services Committee, House Human Services Committee, House Public Health Committee, or to those committees' successors;
- the State Auditor's Office;
- the Legislative Budget Board;
- the Texas State Library and Archives Commission; and
- the Sunset Advisory Commission.

Any of the officials or agencies or any other person could submit to the commissioner any comments on the identified reporting requirements, including comments indicating the person believed a specific requirement was necessary and should continue to be required under statute, no later than the 60th day after the initial report was issued.

After considering any comments, and no later than May 1, 2010, the commissioner would be required to issue a final report listing the reporting requirements the commissioner determined met one or more of the same three factors considered in the initial report determinations.

The commissioner would have to provide a final report that included each statutory reporting requirement for which the commissioner made the determination, and the justification for the determination for each requirement, publish a copy of the final report in the *Texas Register*, post a copy of it on the commission's Internet website, and provide the report to the same officials and agencies to whom it was required to provide the initial report.

The bill would take effect September 1, 2009, and would expire September 1, 2012.

NOTES:

The House companion bill, HB 4378 by Rose, was reported favorably, as substituted, by the Human Services Committee, on April 21 and died in the Calendars Committee.