

SUBJECT: Making HHSC Sunset-related revisions and reinstating the system of care

COMMITTEE: Human Services — favorable, without amendment

VOTE: 8 ayes — Raymond, Frank, Klick, Miller, Minjarez, Rose, Swanson, Wu

0 nays

1 absent — Keough

SENATE VOTE: On final passage, May 3 — 31-0

WITNESSES: No public hearing

BACKGROUND: SB 200 by Nelson, the Health and Human Services Commission Sunset bill, established the Health and Human Services Transition Legislative Oversight Committee to facilitate the transfer of other health and human services agency functions to HHSC and the transfer and consolidation of administrative support services functions.

DIGEST: SB 1021 would require the commissioner of the Department of Family and Protective Services (DFPS) to be part of the Health and Human Services Commission (HHSC) Executive Council, regardless of whether DFPS continued as an agency separate from HHSC.

The bill would move up to July 31, 2018, from September 1, 2018, the date by which the HHSC executive commissioner would have to conduct a study and submit a report and recommendations to the Health and Human Services Transition Legislative Oversight Committee. The executive commissioner's report and recommendations would be required to include:

- a recommendation on the need for DFPS to continue as a separate state agency, unless a determination on the continuation already had been made;
- a recommendation on the need to continue the Department of State

- Health Services as a separate agency;
- an assessment of the quality and consistency of data sharing, communication, and coordination between DFPS and HHSC; and
 - an assessment of any known or potential conflicts of interest concerning DFPS or HHSC licensing and regulation activities, including the process by which the agencies mitigate or manage known conflicts of interest.

SB 1021 would require the executive commissioner's July 31, 2018, report to the oversight committee to also include:

- the latest information available on HHSC's progress in transferring and consolidating the administrative support services functions of the health and human services system;
- recommendations on whether to abolish each statutory advisory committee that considered issues related to the health and human services system; and
- for each advisory committee that was recommended to be abolished, a recommendation on whether to re-establish the advisory committee by rule, consolidate the advisory committee with another committee, or permanently discontinue the advisory committee in any form.

SB 1021 would require the Health and Human Services Transition Legislative Oversight Committee, by December 1, 2018, to review the executive commissioner's report and recommendations and submit its own report and recommendations to the Legislature, including:

- a recommendation on the need for DFPS to continue as a separate state agency, unless a determination on the continuation was made before the date of the report;
- a recommendation on the need to continue the Department of State Health Services as a separate agency; and
- an assessment of and recommendations on data sharing, communication, and coordination between DFPS and HHSC.

SB 1021 also would reinstate the Texas system of care framework into Government Code, sec. 531.251 as it existed prior to being repealed by the 84th Legislature.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**SUPPORTERS
SAY:**

SB 1021 would make minor but necessary adjustments to the Sunset process begun by SB 200 by Nelson in 2015. It would restore the framework of the Texas system of care consortium that was removed due to a drafting error and would clarify requirements for reports related to the status of the transfer and consolidation of the state's health and human services agencies.

The bill also would direct the Health and Human Services Commission (HHSC) executive commissioner to evaluate the need for dozens of advisory committees. Many committees that are duplicative or defunct remain in place even after the effort to streamline the process for public input last legislative session. The bill would allow the executive commissioner to monitor the status of the advisory committees, especially as the transition continues.

**OPPONENTS
SAY:**

Many advisory committees already were eliminated or consolidated during the HHSC Sunset process. The executive commissioner does not need to evaluate whether to abolish more committees, which are providing important stakeholder input to the agency during the transition.

NOTES:

The companion bill, HB 2446 by Price, was referred to the House Human Services Committee on March 22.