

**SUBJECT:** Revising the pay schedule of peace officers commissioned by HHSC

**COMMITTEE:** Homeland Security & Public Safety — favorable, without amendment

**VOTE:** 8 ayes — Guillen, Jarvis Johnson, Bowers, Dorazio, Goodwin, Harless, Holland, Troxclair

0 nays

1 absent — Canales

**SENATE VOTE:** On final passage (April 19) — 31 - 0

**WITNESSES:** None (*considered in a formal meeting on May 4*)

**BACKGROUND:** Concerns have been raised that the Health and Human Services Commission's office of inspector general faces difficulty in recruiting and retaining qualified peace officers as the pay and benefits does not address the cost of living and is not comparable with that of other agencies. Some have suggested that classifying these officers under the Schedule C pay schedule would provide better benefits for the officers and improve recruiting efforts.

**DIGEST:** SB 1698 would expand Health and Human Services Commission's (HHSC) ability to commission peace officers for certain duties and revise provisions related to officer compensation.

The bill would revise provisions establishing the purpose for which HHSC's office of inspector general could employ and commission peace officers to include assisting with investigations of fraud, waste, or abuse under SNAP or Medicaid. A maximum of five peace officers, required to be administratively attached to the Department of Public Safety (DPS), could be employed for these purposes at any given time. HHSC also would be required to employ and commission peace officers to assist a state or local law enforcement agency in the investigation of an alleged criminal offense involving a state hospital patient or a state supported

living center client or resident.

The bill would require prior approval from the office of the attorney general to be obtained from HHSC's office of inspector general, rather than a peace officer employed and commissioned by HHSC, before a peace officer could carry out any duties requiring peace officer status. HHSC's office of inspector general would be required to ensure that a peace officer employed by HHSC was compensated according to Schedule C of the position classification salary schedule, a classification which would have to be made by the classification officer in the office of the state auditor. The change made by the classification officer would apply beginning September 1, 2023. The bill's provisions related to the state auditor would expire September 1, 2025.

The bill would include commissioned officers employed by HHSC's office of inspector general to the statutory categories of "peace officer" "state employee," and would make provisions governing injury leave applicable to such peace officers.

If before implementing any provision of the bill a state agency determined that any other waiver or authorization from a federal agency was necessary for implementation of that provision, the agency affected by the provision would be required to request the waiver or authorization and could delay implementing that provision until the waiver or authorization was granted.

The bill would take effect September 1, 2023, and would apply only to an injury that occurred on or after that date.

NOTES:

According to the Legislative Budget Board, SB 1698 would have a negative impact on general revenue related funds of \$3,969,056 through fiscal 2024-25.