

## **BILL ANALYSIS**

Senate Research Center  
76R12568 CAG-D

C.S.H.B. 2025  
By: Pickett (Shapleigh)  
Border Affairs - Special  
4/29/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, Texas law does not provide for a Border Health Institute. C.S.H.B. 2025 establishes the Border Health Institute in El Paso, Texas, and sets forth the participating institutions and entities that will have representation on the institute's governing board. The purpose of the institute is to deliver health care or provide health education to persons living in the border region and conduct research in fields of study affecting public health in the boarder region.

### **PURPOSE**

As proposed, C.S.H.B. 2025 establishes the Border Health Institute.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the governing board of the Border Health Institute in SECTION 1 (Section 151.004(b), Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 3H, Education Code, by adding Chapter 151, as follows:

#### CHAPTER 151. BORDER HEALTH INSTITUTE

Sec. 151.001. DEFINITION. Defines "institute."

Sec. 151.002. ESTABLISHMENT; PURPOSE. Provides that the Border Health Institute (institute) is established in the city of El Paso. Requires the institute to operate in a manner that facilitates and assists the activities of international, national, regional, or local health-related institutions working in the Texas-Mexico border region to provide certain services.

Sec. 151.003. INSTITUTE MEMBERSHIP. Provides that the institute is composed of certain institutions. Authorizes the governing board of the institute (board) to adopt certain procedures.

Sec. 151.004. ADMINISTRATION. Provides that the governing body of the institute is composed of the chief executive officer of each entity that is a member of the institute or the officer's designee. Provides that the board of the institute is responsible for the operation of the institute. Requires the board to adopt certain rules. Authorizes the board to employ an executive director of the institute and any other officer or employee necessary for the operation of the institute. Requires the board to meet, at least once a year, to review the progress of the institute and to determine the institute's future actions and operational plans.

Sec. 151.005. FUNDING. Authorizes the institute, in addition to any amount appropriated by the legislature, to apply for and accept funds from the federal government or any other public or private entity. Authorizes the institute or any member of the institute to also solicit and accept pledges, gifts, and endowments from private sources on the institute's behalf. Requires a pledge, gift, or endowment solicited under this section to be consistent with the purpose of the institute. Requires the board to manage and approve disbursements of certain funds and endowments that are the property of the institute, capital improvements constructed and owned or leased by the institute, and any real property acquired by the institute.

Sec. 151.006. FACILITIES. Sets forth the requirements for the physical facilities of the institute.

Sec. 151.007. RESOURCES. Provides that resources, capital, and real estate of the institute are separate from the resources, capital, and real estate of the members of the institute. Requires a member of the institute to retain any assets or funds received by the member from the federal government or from any other public or private entity.

Sec. 151.008. ANNUAL REPORTING. Requires the institute, each year, to provide to each member of the board of the institute an annual audited financial statement and a status report of each project undertaken by the institute.

Sec. 151.009. COORDINATING BOARD OVERSIGHT. Provides that the institute is subject to the oversight of the Texas Higher Education Coordinating Board (coordinating board) under Chapter 61 and the rules of the coordinating board adopted under Chapter 61 remain subject to that supervision and those rules as those institutions participate in the institute and its activities.

SECTION 2. Requires the coordinating board, not later than January 1, 2001, to prepare an impact statement examining the initial implementation of this Act and to deliver a copy of the statement to the chair of the legislative committee of each house of the legislature with primary jurisdiction over higher education or border health issues

SECTION 3. Emergency clause.

Effective date: upon passage.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Amends Section 151.001, Education Code, to redefine the proposed definition of “institute.”

Amends Section 151.002, Education Code, to require the institute to operate in a manner that facilitates and assists the activities of international, national, regional, or local health-related institutions working in the Texas-Mexico border region to provide certain services.

Amends Section 151.003, Education Code, to provide that the institute is initially composed of certain institutions including the El Paso County Medical Society and Paso del Norte Health Foundation. Authorizes the board to adopt certain procedures.

Amend Section 151.004, Education Code, to require the board to meet, at least once a year, to review the progress of the institute and to determine the institute’s actions and operational plans. Deletes text regarding the institutions actions in the next year.

Amends Section 151.005, Education Code, to require a pledge, gift, or endowment solicited under this section to be consistent with the purpose of the institute. Requires the board to manage and approve disbursements of certain funds and endowments that are the property of the institute, capital improvements constructed and owned or leased by the institute and any real property acquired by the institute.

Adds a new Section 151.006, Education Code, regarding facilities. Renumbers existing sections accordingly.

Adds a new Section 151.007, Education Code, regarding resources.

Amends Section 151.008, Education Code, to require the institute, each year, to provide to each member of the board of the institute an annual audited financial statement and a status report of each project undertaken by the institute.

Amends Section 151.009, Education Code, to provide a new heading. Provides that the institute is subject to the oversight of the coordinating board under Chapter 61 and the rules of the coordinating board adopted under Chapter 61 remain subject to that supervision and those rules as those institutions participate in the institute and its activities.

#### SECTION 2.

Amends SECTION 2 to require the coordinating board to prepare a certain statement and deliver a copy of the statement to legislative committees with primary jurisdiction over border health issues. Deletes text regarding the governing body of the institute and standing committees.