

BILL ANALYSIS

Senate Research Center
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S.B. 1614
By: Lucio
Health Services
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As Filed

DIGEST

South Texas Hospital began in the mid-1950s as the Harlingen State Tuberculosis Hospital with a bed capacity of 565. The Center for Disease Control recently reported that the Rio Grande Valley has one of the highest rates of tuberculosis and medical drug resistant tuberculosis. In 1983, the legislature broadened the hospital's mission and changed its name to the South Texas Hospital since it primarily serves the residents of Cameron, Hidalgo, Starr, and Willacy counties. In 1989, the legislature authorized the hospital to establish cancer screening, diagnostic and education services, and obstetrical and gynecological services. S.B. 1614 would set forth provisions relating to the long-range plan for the South Texas Hospital and tuberculosis and other health care services in the lower Rio Grande Valley.

PURPOSE

As proposed, S.B. 1614 sets forth provisions relating to the long-range plan for the South Texas Hospital and the provision of tuberculosis and other health care services in the lower Rio Grande Valley.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. CONSTRUCTION OF NEW PHYSICAL FACILITY FOR OUTPATIENT HEALTH CARE SERVICES. Requires the Texas Department of Health (department) to contract for the construction of a new physical facility for outpatient health care services (facility) out of funds appropriated to the department for that purpose. Sets forth the physical facility requirements. Requires the contract under this section to specify that the physical facility be designed and constructed to allow for the provision of all outpatient health care services. Requires, to the maximum extent possible, a facility and the Regional Academic Health Center to be designed and constructed together to realize potential savings in construction costs and long-term maintenance and operations costs by using common central utility plants, cafeterias, laundry facilities, maintenance facilities, and other support facilities, if the physical facility constructed under Subsection (a) of this section is co-located with the Regional Academic Health Center. Requires the board of regents of the University of Texas System to cooperate with the department to coordinate the structure and design of the physical facilities of the facility constructed under Subsection (a) of this section and the Regional Academic Center to achieve a maximally efficient use of resources.

SECTION 2. OUTPATIENT HEALTH CARE SERVICES. Requires, on completion of a new physical facility required by SECTION 1 of this Act, the provision of all outpatient health care services, including outpatient tuberculosis services, provided by the South Texas Hospital (STH) on the effective date of this Act to be transferred to the new physical facility. Authorizes the department to contract with a political subdivision for the management and operation of the physical facility constructed under SECTION 1 of this Act and for the provision of outpatient health care services at the facility.

SECTION 3. INPATIENT HEALTH CARE AND LABORATORY SERVICES. Requires the department, out of funds appropriated to the department, to contract with any public or private health care provider or entity for the provision of inpatient health care services, including inpatient tuberculosis services, and laboratory services provided by the STH on the effective date of this Act. Requires, after entering into contracts required by Subsection (a) of this section, the STH to cease to provide inpatient health care services.

SECTION 4. INTERIM RENOVATION OF PHYSICAL FACILITIES OF THE SOUTH TEXAS

HOSPITAL. Requires the department, out of funds appropriated to the department for the purpose of this section, to contract for minimally necessary structural and design renovations to the physical facilities of the STH required for reaccreditation during 1999 by the Joint Commission on Accreditation of Healthcare Organizations, required for compliance with Texas Accessibility Standards and the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.), as amended, and required for the continued operation of the STH to provide outpatient health care services until construction of a new physical facility for the provision of those services is completed.

SECTION 5. FUTURE OF THE SOUTH TEXAS HOSPITAL. Sets forth when the STH is required to close. Requires the Texas Board of Health and the General Services Commission to collaborate to prepare leasing and other options for potential future uses of the physical facilities of the STH.

SECTION 6. CONTINUATION OF SUPPORT SERVICES. Requires the department and the Texas Department of Mental Health and Mental Retardation (TXMHMR) to enter into an interagency contract to provide for the continuation of support services for the facility operated by TXMHMR that is co-located with the STH. Authorizes the contract to include a provision requiring the department to continue providing employees for support facilities at the site.

SECTION 7. DISPLACED EMPLOYEES OF THE SOUTH TEXAS HOSPITAL. Requires, to the extent possible out of available funds appropriated to the department, the department to reassign a member of the employee class of the department who is employed at the STH and whose position is displaced as a result of a contract entered into by the department under this Act or the closing of the STH to an open position within the department for which the member is qualified. Requires a contract awarded by the department under this Act to include a provision that, to the maximum extent possible as determined by the contracting entity, the contracting entity shall offer an employee of the STH whose position is displaced as a result of the contract a similar employment position with the contracting entity.

SECTION 8. TIME FRAME. Requires the department to enter into the contracts required by this Act not later than September 1, 2000.

SECTION 9. Amends Chapter 814B, Government Code, by adding Section 814.1043, as follows:

Sec. 814.1043. TEMPORARY SERVICE RETIREMENT OPTION FOR MEMBERS AFFECTED BY THE TRANSFER OF SERVICES FROM THE SOUTH TEXAS HOSPITAL. Provides that this section applies only to members of the employee class whose positions with the department at the STH are eliminated as a result of contracts with public or private health care providers or entities or as a result of the closing of the STH and who separate from state service at that time. Provides that a member described by Subsection (a) is eligible to retire and receive a service retirement annuity if the member's age and service credit, each increased by three years, would meet age and service requirements for service retirement under Section 814.104(a) at the time the member separates from state service as described by Subsection (a). Provides that the annuity of a person who retires under this subsection is computed on the person's accrued service credit increased by three years. Provides that a member described by Subsection (a) becomes eligible to retire and receive a service retirement annuity on the date on which the member would have met the age and service requirements for service retirement under Section 814.104(a) had the member remained employed by the state if, on the date of separation from state service, the member's age and service credit, each increased by five years, would meet age and service requirements for service retirement under Section 814.104(a). Provides that an annuity of a person who retires under this subsection is computed on the person's accrued service credit. Provides that if a member described by Subsection (c) is reemployed by the state before retirement, the time between the member's separation from state service and reemployment may be used only to compute eligibility for service retirement and may not be used to compute the amount of any service retirement annuity. Requires a member who applies to retire under this section and the department to provide documentation required by the retirement system to establish eligibility to retire under this section. Sets forth how this section applies only to positions eliminated on or after the effective date of this section as a result of certain conditions.

SECTION 10. Requires the department to enter into contracts required by this Act not later than September 1, 2000.

SECTION 11. Emergency clause.

Effective date: upon passage.