

## **BILL ANALYSIS**

Senate Research Center

S.B. 1655  
By: Jackson  
Higher Education  
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As Filed

### **DIGEST**

Currently, the University of Texas Medical Branch at Galveston provides services to certain residents. This bill would set forth guidelines for the administration and responsibilities of the medical branch.

### **PURPOSE**

As proposed, S.B. 1655 sets forth guidelines for the administration and responsibilities of the University of Texas Medical Branch at Galveston.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the University of Texas Medical Branch at Galveston in SECTION 1 (Section 74.008(d), Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 74A, Education Code, by adding Sections 74.005, 74.006, 74.007, and 74.008, as follows:

Sec. 74.005. TREATMENT OF INDIGENT PATIENTS. Authorizes the University of Texas Medical Branch at Galveston (medical branch) to enter into contracts with a county, public hospital, or hospital district (hospital) to provide treatment to certain residents. Prohibits the liability of a hospital to the medical branch from exceeding the responsibility of a county as provided by Chapter 61, Health and Safety Code, unless agreed to by the hospital in a contract entered into under this section. Requires a hospital under contract under this section to take into consideration the actual costs of the medical branch in providing health care services pursuant to the contract, but prohibits the liability from exceeding such costs. Requires the medical branch to receive approval from a hospital prior to providing nonemergency health care services to an eligible resident. Provides that a hospital is not liable to the medical branch for nonemergency care provided to a resident, if approval is not received by the medical branch. Provides that a hospital is liable to the medical branch under Subsection (b) for the provision of services if approval is received. Defines "eligible resident," "hospital district," "public hospital," and "service area."

Sec. 74.006. SUFFICIENCY OF FUNDS, FEES, AND PATIENT BASE. Requires the medical branch to take administrative and management actions to ensure that the mission and strategic plan of the medical branch can be achieved within the total amount of funds received for all sources.

Sec. 74.007. INCENTIVE RETIREMENT PLANS. Authorizes the medical branch to offer incentive retirement plans to employees of the medical branch who elect to retire under other state law. Requires an incentive offered by the medical branch to be paid from the medical branch's funds or hospital or clinic fees. Prohibits the medical branch from rehiring an employee receiving a retirement incentive under this section without approval of the president.

Sec. 74.008. ACQUISITION OF GOODS AND SERVICES. Authorizes the medical branch to acquire goods and services by a certain method that provides the best value to the medical branch. Requires the medical branch to take into consideration certain characteristics regarding a vendor of goods and services in determining the best value to the medical branch is. Authorizes the state auditor to audit purchase of goods or services by the medical branch. Authorizes the medical branch to adopt rules and procedures for the acquisition of goods and services. Provides that this

section prevails over other laws relating to the purchasing of goods and services except laws relating to contracting with historically underutilized businesses. Provides that Title 10D, Government Code, and Chapter 2254, Government Code, do not apply to purchases made under this section.

SECTION 2. Repealer: Chapter 74B, Education Code (Moody State School for Cerebral Palsied Children).

SECTION 3. Effective date: September 1, 1999, for SECTION 1. Effective date: September 1, 2000, for SECTION 2. Requires the medical branch, the Moody State School for Cerebral Palsied Children (Moody School), and the University of Texas Medical Branch at Galveston Special School (Special School), to enter into a memorandum of understanding to provide for the dissolution of the Moody School and the Special School. Authorizes funding that could have been provided to the Moody School and the Special School to be provided to the medical branch if the medical branch performs certain duties.

SECTION 4. Emergency clause.