

BILL ANALYSIS

Senate Research Center
76R9142 PEP-D

C.S.S.B. 806
By: Ellis
Health Services
4/14/1999
Committee Report (Substituted)

DIGEST

According to the Texas Department of Criminal Justice (TDCJ), health care now accounts for 21 percent of all state prison spending. Inmate health care costs jumped from \$93.6 million to \$223.3 million from 1990-1997. Texas leads all other states in prison growth and has seen prison populations grow from 49,000 to 143,000 inmates, a 192 percent increase. The Correctional Managed Health Care (CMHC), plan is a provider system composed largely of medical staff from the University of Texas Branch at Galveston (UTMB) and the Texas Tech University Health Sciences Center in Lubbock (TTUHSC). Although UTMB and TTUHSC provide telemedicine services for the prison system, they lack explicit legislative authority to use correctional telemedicine resources to support rural health care initiatives and rural health care education. C.S.S.B. 806 would regulate medical care services under an approved medical health care plan to inmates confined by the Texas Department of Criminal Justice and to certain administrative matters pertaining to the provision of those services.

PURPOSE

As proposed, C.S.S.B. 806 regulates medical care services under an approved medical health care plan to inmates confined by the Texas Department of Criminal Justice and to certain administrative matters pertaining to the provision of those services.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 501.059(k), Government Code, to require the Correctional Managed Health Care Advisory Committee (committee), not later than October 31 of each year, to report to the governor, comptroller, state auditor, and Legislative Budget Board regarding amounts received in the previous fiscal year in providing health care services under the managed health care plan. Requires the committee to deposit half of the excess amounts received to the general revenue fund.

SECTION 2. Amends Chapter 501B, Government Code, by adding Section 501.0591, as follows:

Sec. 501.0591. USE OF TELEMEDICINE AND TELEMEDICINE RESOURCES. (a) Requires The University of Texas Medical Branch at Galveston (UTMB) and the Texas Tech Health Sciences Center, in conjunction with the committee, to develop and implement a comprehensive plan for expanding the use of telemedicine within the prison system. Requires the plan to include measures designed to reduce inmate transportation and health care costs.

(b) Authorizes UTMB and the Texas Tech Health Sciences Center to use correctional telemedicine resources for rural health care initiatives and for purposes of rural health care education. Authorizes the Center for Rural Health Care Initiatives to assist the committee and the universities in coordinating a statewide effort to link rural communities with health education centers through correctional telemedicine resources. Provides that this subsection does not permit the provision of direct patient care in a location where services are reasonably available. Requires the Texas Department of Health to determine whether services are reasonably available in the location.

(c) Requires the committee and any ad hoc committee of the department that deals with transportation issues to report to the 77th Legislature regarding the progress made in expanding

the use of telemedicine in providing inmate health care services and reducing inmate transportation and health care costs. Requires the report to include implementation plans, a timetable, and an analysis of costs incurred and savings realized through expanding the use of telemedicine. Requires the legislature, upon receiving a report under this subsection, to consider dedicating any savings realized through expanding the use of telemedicine for purposes of further expanding the use of telemedicine to provide inmate health care services. Provides that this subsection expires September 1, 2001.

SECTION 3. (a) Requires the Correctional Managed Health Care Advisory Committee to annually deposit amounts received to the general revenue fund as required by Section 501.059(k), Government Code, as amended not later than October 31, 2000.

(b) Requires the University of Texas Medical Branch at Galveston and the Texas Tech Health Sciences Center, in conjunction with the Correctional Managed Health Care Advisory Committee, to develop and begin implementation of the comprehensive plan required by Section 501.0591(a), Government Code, as added by this Act, not later than January 1, 2000.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Amends Section 501.0591(b), Government Code, to provide that this subsection does not permit the provision of direct patient care in a location where services are reasonably available. Requires the Texas Department of Health to determine whether services are reasonably available in the location.