

BILL ANALYSIS

Senate Research Center
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S.B. 1862
By: Bivins
Finance
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As Filed

DIGEST AND PURPOSE

As proposed, S.B. 1862 reduces appropriations made by the legislature to certain governmental entities providing health services, human services, and related services.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Authorizes the legislature, notwithstanding any statute to the contrary, in its discretion, to determine the amount of each appropriation of state funds. Authorizes the amounts required by statute for entities that receive state funds under Article II of the General Appropriations Act may be reduced or eliminated in order to achieve a balanced budget.

SECTION 2. Requires each health and human services agency, including any agency listed in Section 531.001 (Definitions), Government Code, to reduce its expenditures, through a reduction in services provided or through a reduction in other activities of the agency, as necessary to operate within the amounts appropriated to the agency under Article II of the General Appropriations Act, notwithstanding any statute to the contrary. Authorizes the comptroller of public accounts (comptroller) or the commissioner of health and human services, as appropriate, to direct an agency to reduce services or activities in accordance with this section.

SECTION 3. Requires the Texas Commission for the Blind to take any action necessary to operate the blindness education, screening, and treatment program and other commission programs using available funds.

SECTION 4. Requires the Interagency Council on Early Childhood Intervention to reduce expenditures by reducing, by 38 percent, activities to provide intervention services for children with developmental delay or children at risk of developmental delay and the families of those children and reducing and streamlining activities necessary in relation to determining whether children are eligible for services provided under the jurisdiction of the council and providing less comprehensive services to eligible children while seeking to maximize federal funds available under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1471 et seq.) or other law.

SECTION 5. Provides that the advisory committee to the Interagency Council on Early Childhood Intervention is abolished.

SECTION 6. Authorizes the legislature, notwithstanding Subchapter G, Chapter 403 (Funds), Government Code, to appropriate the available earnings of any permanent fund established under that subchapter and derived from tobacco proceeds to any strategy identified under Article II of the General Appropriations Act. Requires the comptroller to transfer funds from the permanent funds established under Subchapter G, Chapter 403, Government Code, as necessary to implement this section.

SECTION 7. Requires the Texas Department of Health to reduce expenditures by consolidating

operations and functions of the Texas Primary Health Care Services Act and the Indigent Health Care and Treatment Act.

SECTION 8. Authorizes unclaimed lottery proceeds collected and deposited to the state-owned multicategorical teaching hospital account to be appropriated to fund the Texas Health Steps program (EPSDT), notwithstanding Section 466.408 (Unclaimed Prizes), Government Code, or any other law.

SECTION 9. Requires the Health and Human Services Commission (HHSC) and other agencies responsible for administration of the state Medicaid program to reduce expenditures in that program by taking certain actions.

SECTION 10. Requires HHSC and other agencies responsible for administration of the state child health plan program to reduce expenditures in that program by taking certain actions.

SECTION 11. Requires the Texas Department of Human Services to reduce expenditures by terminating the in-home and family support program to grant benefits to adults and children with disabilities who are living independently.

SECTION 12. Requires the Texas Department of Mental Health and Mental Retardation to reduce expenditures by taking certain actions.

SECTION 13. Authorizes the Texas capital trust fund to be used in any manner necessary to support the infrastructure of facilities for persons with mental retardation and mental illness, notwithstanding Section 2201.002 (Use of Fund), Government Code, or any other law.

SECTION 14. Requires the Department of Protective and Regulatory Services to reduce expenditures by establishing monthly foster care reimbursement rates within available funding.

SECTION 15. (a) Requires the Texas Rehabilitation Commission (TRC) to reduce expenditures by providing through the vocational rehabilitation program operated by TRC transition planning services to prepare persons with disabilities for a successful transition to employment and extended ongoing support services to enable individuals to achieve and maintain employment.

(b) Prohibits services described by Subsections (a)(1) and (2) of this section from being provided separately from the vocational rehabilitation program operated by TRC, notwithstanding any other law.

SECTION 16. Effective date: upon passage or September 1, 2003.