

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1396
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Health & Human Services
5/3/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Office of Minority Health was created under the administration of the Texas Department of Health (TDH). After the reorganization of TDH into the Department of State Health Services (DSHS), the Office of Minority Health was redesignated and reorganized as the Office for the Elimination of Health Disparities (office) to identify and work through existing programs to address disparities in certain programs relating to multicultural, disadvantaged, and regional populations. The office has found that many of the existing programs relating to health disparities exist in the Health and Human Services Commission (HHSC) rather than DSHS. A report by the office to the 80th Legislature recommended that the office be moved to HHSC under the administration of the executive commissioner of the Health and Human Services Commission (executive commissioner).

C.S.H.B. 1396 transfers the office to the executive commissioner and establishes its authority. This bill also moves the health disparities task force to HHSC from DSHS and sets forth its purpose and duties.

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. Transfers Subchapter G, Chapter 12, Health and Safety Code, to Subtitle E, Title 2, Health and Safety Code, redesignates it as Chapter 107A, Health and Safety Code, and amends it, as follows:

CHAPTER 107A. New heading: OFFICE FOR THE ELIMINATION OF HEALTH DISPARITIES

Sec. 107A.001. New heading: OFFICE FOR THE ELIMINATION OF HEALTH DISPARITIES. Requires the executive commissioner of the Health and Human Services Commission, rather than the Texas Department of Health (TDH), to maintain an office for the elimination of health disparities (office) in the Health and Human Services Commission (HHSC), rather than establish and maintain an office of minority health in TDH, to assume a leadership role in working or contracting with state and federal agencies, universities, private interest groups, communities, foundations, and offices of minority health to develop health initiatives to decrease or eliminate health and health access disparities among racial, multicultural, disadvantaged, ethnic, and regional populations, including appropriate language services, rather than bilingual services.

Sec. 107A.002. POWERS OF OFFICE. Authorizes the office to perform certain actions relating to certain health disparities among racial, multicultural, disadvantaged, ethnic, and regional populations.

Sec. 107A.003. FUNDING. Makes a conforming change. Deletes existing text of Section 12.084 requiring the office to submit a biennial report to the legislature regarding the activities of the office and any findings and recommendations relating to minority health issues, not later than January 1 of each odd-numbered year.

SECTION 2. Amends Sections 107.001 through 107.004 and Section 107.008, Health and Safety Code, as follows:

Sec. 107.001. DEFINITIONS. Defines "commission," "executive commissioner," and "health and human services agency." Makes a nonsubstantive change.

Sec. 107.002. PURPOSE. Amends the goals of the health disparities task force (task force) to include structuring health and human services programs to eliminate health and health access disparities. Makes conforming changes.

Sec. 107.003. DUTIES. (a) Requires the task force to perform certain tasks relating to health and health access disparities among racial, multicultural, disadvantaged, ethnic, and regional populations. Makes conforming changes.

(b) Requires the task force to consult with each health and human services agency, the Office for the Elimination of Health Disparities, rather than the Office of Minority Health and Cultural Competency and the women's health offices of the department, and any other relevant division of the HHSC in performing the duties described in Subsection (a). Makes conforming changes.

Sec. 107.004. REPORT. Makes conforming changes.

Sec. 107.008. PERSONNEL AND FACILITIES. Makes conforming changes.

SECTION 3. Provides that the changes in law made by this Act do not affect the entitlement of a member serving on the health disparities task force immediately before the effective date of this Act to continue to carry out the task force's functions for the remainder of the member's term.

SECTION 4. (a) Requires the Department of State Health Services (DSHS), on January 1, 2008, or on an earlier date specified by the executive commissioner, to transfer any property, records, or personnel of DSHS related to the administration of the Office for the Elimination of Health Disparities, or the health disparities task force to HHSC to assist HHSC to begin administering Chapter 107 (Health Disparities Task Force), Health and Safety Code, as amended by this Act, as efficiently as practicable. Provides that all powers, duties, functions, activities, obligations, rights, contracts, records, property, and appropriations or other money of the Office for the Elimination of Health Disparities, or the health disparities task force are transferred to HHSC, on January 1, 2008, or on an earlier date specified by the executive commissioner. Provides that a rule or form adopted by DSHS that relates to the Office for the Elimination of Health Disparities, the office, or the health disparities task force is a rule or form of HHSC and remains in effect until altered by HHSC, on January 1, 2008, or on an earlier date specified by the executive commissioner. Provides that a reference in law or an administrative rule to DSHS that relates to the Office for the Elimination of Health Disparities, the office, or the health disparities task force means HHSC, on January 1, 2008, or on an earlier date specified by the executive commissioner.

(b) Requires HHSC to take all action necessary to provide for the transfer of the Office for Elimination of Health Disparities, to HHSC as soon as possible after the effective date of this Act but not later than January 1, 2008.

SECTION 5. Effective date: September 1, 2007.