

## Interim Hearings – Week of March 26, 2018

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Related Categories: 85th Session, Interim hearings

**Today's Committee Meetings** on the LRL website is a calendar of interim committee hearings with links to agendas. Below are resources related to upcoming Interim Hearings.

- **March 26**
  - House Committee on Criminal Jurisprudence
  - House Select Committee on Texas Ports, Innovation & Infrastructure
  - Senate Committee on Agriculture, Water & Rural Affairs **CANCELED**
  - Senate Committee on Education
- **March 27**
  - House Committee on Government Transparency & Operation
  - House Select Committee on Opioids & Substance Abuse
  - Senate Committee on Intergovernmental Relations
- **March 28**
  - House Committee on Appropriations, Subcommittee on Article II
- **March 29**
  - House Committee on General Investigating & Ethics

### March 26

#### House Committee on Criminal Jurisprudence

Charge: Death penalty for defendants with serious mental illness or intellectual and developmental disabilities

- "Texas Death Penalty Juror Hopes to Change Law as Execution Looms," *Texas Tribune*, March 28, 2017
- "Should Death Be So Different?: Sentencing Purposes and Capital Jury Decisions in an Era of Smart on Crime Sentencing Reform," *70 Arkansas Law Review* 227 (2017)
- "The 'Of Mice and Men' Rule for Texas Executions," *The Atlantic*, November 28, 2016
- "'Outsmarting' Death by Putting Capital Punishment on Life Support: The Need for Uniform State Evaluations of the Intellectually Disabled in the Wake of *Hall v. Florida*," *81 Brooklyn Law Review* 1683 (2016)
- "How Texas Keeps Putting the Intellectually Disabled on Death Row," *New Republic*, May 14, 2014
- *Evaluating Fairness and Accuracy in State Death Penalty Systems: the Texas Capital Punishment Assessment Report* (Ch. 10 – Capital jury instructions),

American Bar Association, September 2013

- "Defining Intellectual Disability and Establishing a Standard of Proof: Suggestions for a National Model Standard," 23 *Health Matrix* 317 (2013)
- *Texas Code of Criminal Procedure Art. 37.071*, Procedure in Capital Case

## House Select Committee on Texas Ports, Innovation & Infrastructure

Charge: Pilot Boards

- "Pilot Commissioners Turn Down Joint Meeting With Wharves Board," *Galveston County Daily News*, January 19, 2018
- *Texas Transportation Code Chapter 63*, Pilot Boards
- *Texas Transportation Code Chapters 66-70*, Houston, Galveston, Brazoria, Jefferson and Orange, and Corpus Christi Pilots Licensing and Regulatory Acts
- *Port of Galveston, Port Operations* (Board of Trustees of the Galveston Wharves)

Charge: Port Authority Advisory Committee [PAAC]

- *Texas Ports 2017-2018 Capital Program: Project Summaries*, Port Authority Advisory Committee, 2017
- *Texas Ports Strategic Mission Plan: 85th Legislative Session*, Port Authority Advisory Committee, 2016
- *Port Authority Advisory Committee*, Texas Department of Transportation
- *Texas Transportation Code §§ 55.006 - 55.008*, Port Authority Advisory Committee

Charge: Public-Private Partnerships

- *Gulf Intracoastal Waterway: Legislative Report - 85th Legislature*, Texas Department of Transportation, 2016
- *Public Private Partnerships: Balancing the Needs of the Public and Private Sectors to Finance the Nation's Infrastructure - Findings and Recommendations*, Special Panel on Public-Private Partnerships, U.S. House Committee on Transportation and Infrastructure, 2014
- *Interim Report to the 84th Legislature* (Charge - Texas' Maritime Port System), House Committee on Transportation, December 2014

Senate Committee on Agriculture, Water & Rural Affairs **CANCELED**

Charge: Agricultural fees and state licenses in agriculture industry

- *Commissioner Sid Miller Calls for Agency Fee Reductions*, Texas Department of Agriculture, August 22, 2017
- *An Audit Report on Fees at the Department of Agriculture*, Texas State Auditor's Office, August 2017
- *Texas Department of Agriculture Fee Updates* (Includes cost recovery rate overview and notice of proposed rule changes as published in 40 TexReg 6989), Texas Department of Agriculture, October 13, 2015
- *Occupational Regulation in Texas: Occupational Licenses and Statutory Penalties for Violations Relating to Occupational Licenses* (Texas Department of Agriculture), Texas Legislative Council, October 2008
- *Licenses & Registrations*, Texas Department of Agriculture

## Senate Committee on Education

Charge: Teacher compensation

- *Rankings & Estimates: Rankings of the States 2016 and Estimates of School Statistics 2017*, National Education Association, May 2017
- *Public Education Finances: 2015*, U. S. Census Bureau, June 2017
- *Mitigating Teacher Shortages: Financial Incentives*, Education Commission of the States, May 2016
- "A Better Way to Pay: Teacher Compensation Strategies in Urgent Need of Reform," *Texas Lone Star*, Texas Association of School Boards, April 2015

Charge: Classroom conduct and teacher support, student discipline

- *Suspension and Expulsion, Alternative School Discipline Strategies* (Policy Snapshots), Education Commission of the States, January 2018
- *Realizing the Full Vision of School Discipline Reform: A Framework for Statewide Change*, Council of State Governments, 2017
- *Suspended Childhood: An Analysis of Exclusionary Discipline of Texas' Pre-K and Elementary School Students, Updated with 2015-16 Data*, Texas Appleseed, March 2017
- *Dangerous Discipline: How Texas Schools Are Relying on Law Enforcement, Courts, and Juvenile Probation to Discipline Students*, Texas Appleseed, Texans Care for Children, December 14, 2016
- *Positive Behavioral Interventions & Supports (PBIS)* (Blueprints, briefs, behavior related policy, state/district resources, tier 1-3 supports in schools), Office of Special Education Programs (OSEP), U. S. Department of Education

Charge: Monitor implementation of legislation, including:

- a prohibition of a monitoring system performance indicator based solely on the number or percentage of students receiving special education services (**SB 160**).

This will include testimony about the United States Department of Education special education monitoring letter and the Texas Education Agency's proposed corrective action plan.

- "Texas Education Agency Releases Plan to Reform Special Education," *Texas Tribune*, January 18, 2018
- "Ed. Dept. Finds Texas Suppressed Enrollment of Special Education Students," *Education Week*, January 11, 2018
- Letter to Mike Mbrath, Commissioner, Texas Education Agency, relating to special education and recent monitoring letter from the U.S. Department of Education, Governor Greg Abbott, January 11, 2018

## March 27

### House Committee on Government Transparency & Operation

#### Charge 1: Role of technology in disaster preparedness

- "How Technology is Advancing Emergency Response and Survival During Natural Disasters," *Forbes*, December 15, 2017
- "The New Tech of Disaster Response, From Apps to Aqua-Drones," *Wired*, August 29, 2015
- *Outlining a Framework for the Use of ICT [information and communication technologies] in Disaster Management* (Thesis), Naval Postgraduate School (Monterey, CA), September 2014
- "Twitter Vs. Sirens: Urban Disaster Response in the Digital Age," *Next City*, May 13, 2014

#### Charge 2: State agency use of state disaster recovery services, including statewide technology centers

- *Texas Government Code §§ 2054.375 - 2054.392*, Statewide Technology Centers
- *1 Texas Administrative Code §§ 215.10 - 215.13*, Data Center Services for State Agencies and Local Government

#### Charge 3: Open meetings laws

- *Open Meetings Handbook 2016*, Attorney General of Texas, 2016
- *Crisis Emergency and Risk Communication (Public's Right to Know)*, U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2014 Edition
- *Interim Report to the 82nd Legislature* (Charge 13 - Consider How Technology and Social Media Affect Communications by Government Bodies), Senate

Committee on State Affairs, December 2010

- *Texas Government Code Chapter 551*, Open Meetings

#### Charge 4: Public Information Act

- "Lawmakers May Review Effects of Court Ruling on Public Information Law," *Interim News*, House Research Organization, March 21, 2018
- "Texas Lawmakers File Bills To Plug 'Loopholes' Keeping Government Contracts Secret," *Texas Tribune*, January 3, 2017
- *Texas Supreme Court Ruling Helps Bar The Door To Public Release of Company Records*, Freedom of Information Foundation of Texas, May 4, 2016
- *Public Information Handbook 2016*, Attorney General of Texas, 2016
- "Lessons Learned for Facing the Public in Disaster: Harris County, Texas' Francisco Sanchez Learned From Hurricane Katrina to Give the Public What It Wants," *Emergency Management*, December 2, 2013
- *Interim Report to the 83rd Legislature* (Charge 1 - Evaluate Needs for Revisions to the Public Information Act), Senate Committee on Open Government, December 2012
- *Texas Government Code Chapter 552*, Public Information

#### Charge 5: State agency data sharing

- *A Blueprint for Interagency and Cross-Jurisdictional Data Sharing*, Urban Institute, July 2017
- *Interagency Data Transparency Commission Report*, Interagency Data Transparency Commission, September 1, 2016
- *Texas Government Code §§ 2060.001 - 2060.006*, Interagency Data Transparency Commission

#### Charge 6: Implementation of relevant legislation, specifically **HB 8**, 85th Legislature, R.S. (Cybersecurity for state agency information resources)

- *Cybersecurity Legislation 2017*, National Conference of State Legislatures, December 29, 2017
- *Interim Report to the 85th Texas Legislature* (Charge 1 – State agencies' cybersecurity policies), House Committee on Government Transparency & Operation, January 2017
- *Texas Government Code §§ 2054.059-2054.0592*, Cybersecurity
- *10 Texas Administrative Code §§ 202.20-202.26*, Information Security Standards for State Agencies

#### House Select Committee on **Opioids & Substance Abuse**

Charge: Prevalence and impact of substance use, substance use disorders, opioids, and

## synthetic drugs in Texas

- *Opioids in America: A National Crisis* (Presentation), Texas Legislative Council, 2018
- *MMWR Opioid Reports*, Morbidity and Mortality Weekly Report (MMWR), Centers for Disease Control and Prevention, 2000-2018
- *Prescription Drug Policy Resource Center*, National Conference of State Legislatures, March 13, 2018
- *Medicaid's Role in Addressing the Opioid Epidemic*, Kaiser Family Foundation, February 27, 2018
- *All for One and One for All: Developing Coordinated State Opioid Strategies*, Milbank Memorial Fund, Center for Evidence-Based Policy, February 2018.
- "Doctors, Pharmacists Will Have to Use Prescription-Tracking Tool in 2019 for Opioids," *San Antonio Express-News*, January 8, 2018
- *The Role of Opioid Overdoses in Confirmed Maternal Deaths, 2012-2015*, Texas Department of State Health Services, December 2017
- *Pain in the Nation: The Drug, Alcohol and Suicide Crises and the Need for a National Resilience Strategy* (includes state data tables), Trust for America's Health, November 2017
- *Evaluation of Medicaid Spending and Outcomes for Substance Use Disorder Treatment, As Required by Senate Bill 1, 85th Legislature, Regular Session, 2017 (Article II, HHSC, Rider 29)*, Health and Human Services Commission, November 2017
- *The Opioid Epidemic and Federal Efforts to Address It: Frequently Asked Questions*, Congressional Research Service, October 18, 2017
- *Peeling Back the Curtain on Regional Variation in the Opioid Crisis: Spotlight on Five Key Urban Centers and Their Respective States* (including information on Houston and Texas), FAIR Health, June 2017
- *Deep Dive: Opioid Addiction (Drug Crime Policy, Child Welfare, Health & Prevention)*, National Conference of State Legislatures
- *Substance Abuse Data, Research, and Reports*, Texas Department of State Health Services
- *Population Data/NSDUH* (National Survey on Drug Use and Health, data tables, state and metro reports), *2015-2016 NSDUH State Estimates of Substance Use and Mental Disorders* (December 6, 2017), Substance Abuse and Mental Health Services Administration
- *Intervention, Treatment, and Prevention Strategies to Address Opioid Use Disorders in Rural Areas: A Primer On Opportunities For Medicaid-Safety Net Collaboration*, National Academy for State Health Policy, September 2016.

## Senate Committee on Intergovernmental Relations

### Hurricane Harvey Related Charges

Charge: Rebuilding housing and infrastructure following natural disaster

- *State of Texas Plan for Disaster Recovery: Hurricane Harvey* (draft for public



comment), Texas General Land Office Community Development & Revitalization Program, January 18, 2018

- *Interim Report to the 85th Legislature (Charge 3*, Disaster preparedness planning and coordination, background on process to rebuild housing and efficiency of disaster recovery), Senate Committee on Intergovernmental Relations, November 2016
- *Lessons From Texas: 10 Years of Disaster Recovery Examined*, Texas Applesseed, September 15, 2015

Charge: Distribution of federal disaster relief funds, including community development block grant (CDBG) funds

- *Hurricane Harvey: County Updates*, Texas General Land Office, March 16, 2018
- *Recovery Tracker*, The Governor's Commission to Rebuild Texas, updated March 16, 2018
- *"Cuts May Undermine Disaster Recovery"* (CDBG program), *E&E News*, Environment & Energy Publishing, LLC, March 2, 2018
- *"Texas Launches Online Harvey Recovery Funds Tracker"*, KRISTV.com (Corpus Christi), February 26, 2018
- *State Community Development Block Grant - Disaster Recovery*, Texas General Land Office

Charge: Debris removal

- *"Here's the Costly Price Tag of Hurricane Harvey Cleanup in Aransas County,"* *Corpus Christi Caller-Times*, March 15, 2018
- *"After 3 Months, Removal of Harvey Debris Nears End,"* *Houston Chronicle*, November 21, 2017
- *"\$90M Approved to Expedite Debris Removal from Hurricane Harvey,"* *Houston Chronicle*, November 10, 2017
- *"Texas Attorney General Opens Investigation into Harvey Debris Removal Companies,"* *Texas Tribune*, October 20, 2017
- *The Governor's Commission to Rebuild Texas*
- *Hurricane Harvey Debris Contracts*, Texas General Land Office

Charge: Disaster training opportunities

- *Texas Government Code § 418.005*, Emergency Management Training
- *Texas Division of Emergency Management Training Unit, Texas Emergency Preparedness Website* (training catalog, schedule), Texas Department of Public Safety

Interim Legislative Charge

Charge: Special Purpose Districts Bond Reform

- "Municipal Utility Districts in Texas Have Sweeping Power to Sell Bonds, Levy Taxes," *Houston Chronicle*, August 20, 2016
- "Redefining 'Special Districts' Could Have Big Taxing Consequences" (Proposed IRS Rule Withdrawn), *Governing*, May 2016
- *Invisible Government: Special Purpose Districts in Texas*, Texas Senate Research Center, October 2014

## March 28

### House Committee on Appropriations, Subcommittee on Article II

Charge 4 (specific aspects): Health and Human Services Commission's (HHSC) managed care contracts, enforcement of contractual sanctions for managed care organizations (MCOs), Medicaid participants' complaints regarding access to care

- *Expansion of Managed Care* (Summary, Executive Commissioner's commitment to improving member and provider experience in Medicaid managed care, HHSC updates), *Managed Care Contracts and Manuals, Managed Care Incentives and Disincentives, Managed Care Organization Sanctions, MCO Notices and Alerts, Managed Care Service Areas* (Map), Health and Human Services Commission
- *An Audit Report on the Health and Human Services Commission's Management of Its Medicaid Managed Care Contract with Superior HealthPlan, Inc. and Superior HealthPlan Network, and Superior's Compliance with Reporting Requirements*, Texas State Auditor's Office, January 2018
- "How Texas Medicaid Is Failing Children with Disabilities," *Austin American-Statesman*, November 2, 2017
- *Utilization Review in STAR+PLUS Medicaid Managed Care*, Health and Human Services Commission, November 2017
- *Texas Medicaid Managed Care and Children's Health Insurance Program: Summary of Activities and Trends in Healthcare Quality, Contract Year: 2016*, Institute for Child Health Policy at the University of Florida, External Quality Review Organization for Texas Medicaid Managed Care and CHIP, August 2017; *Addendum*, October 2017
- *Demonstrating the Value of Medicaid MLTSS Programs* (Survey of Medicaid managed long-term services and supports programs in 12 states, including Texas), National Association of States United for Aging and Disabilities, Center for Health Care Strategies, May 2017
- *Texas Medicaid Managed Care STAR Child, STAR Adult, and STAR+PLUS Adult Behavioral Health Survey Report, Contract Year 2015*, Institute for Child Health Policy at the University of Florida, External Quality Review Organization for Texas Medicaid Managed Care and CHIP, HHSC Approval Date: April 27, 2017
- "Severely Disabled Kids' Lives at Risk, Parents Say, as Texas Enacts Medicaid Cost-Savings Plan" (Including history of STAR Kids), *Dallas Morning News*, February 2017
- *Texas Medicaid and CHIP in Perspective*, 11th Edition, Chapter 11:



**Fee-for-Service and Managed Care** (Overview of Medicaid managed care programs: STAR, STAR+PLUS, STAR Kids, STAR Health, children's Medicaid dental services, dual eligible, nursing facility carve-in), **Appendix D: Managed Care History in Texas**, **Appendix E: Managed Care Quality Assurance Reports**, Health and Human Services Commission, February 2017

- **Review of HHSC's Contract Management and Oversight Function for Medicaid and CHIP Managed Care and Fee-for-Service Contracts**, Health and Human Services Commission, February 2017
- **Combined Report on Medicaid Managed Care Provider Network Adequacy, Monitoring, and Violations**, Health and Human Services Commission, January 2017
- **Interim Report to the 85th Legislature** (Interim Charge 9B – OIG Sunset implementation, including table of major provisions relating to HHSC Office of Inspector General in **SB 200** and **SB 207**, 84th Legislature, R.S., and discussion of MCO efforts to reduce fraud, waste, and abuse in Medicaid), Senate Committee on Health and Human Service, November 2016
- **Medicaid Managed Care Enrollment and Program Characteristics, 2015**, Mathematica Policy Research, Centers for Medicare and Medicaid Services, Winter 2016
- **Medicaid Managed Care in Texas: A Review of Access to Services, Quality of Care, and Cost Effectiveness**, Sellers Dorsey, Milliman, Texas Association of Health Plans, February 2015
- **Interim Report to the 84th Legislature** (Charge 7 – Implementation of legislation in the 83rd Legislature, Regular Session; including discussion of **SB 7**, Medicaid Long Term Services and Supports Redesign, and Medicaid managed care), Senate Committee on Health and Human Services, December 2014
- **"Medicaid Roadblocks"** (Early history of Medicaid managed care), *Texas Medicine*, Texas Medical Association, October 2013
- **Interim Report to the 83rd Legislature** (Charge 2 – Cost containment initiatives, including expansion of managed care), Senate Committee on Health and Human Services, December 2012

#### Charge 10: Early Childhood Intervention Program (ECI) in Texas

- **"Financing Options for the Early Childhood Intervention Program,"** *Legislative Budget Board Staff Reports*, Legislative Budget Board, January 2017
- **Early Childhood Intervention (ECI) Program Funding Sources** (Infographic), Legislative Budget Board, May 2016
- **Early Childhood Intervention Services**, Health and Human Services Commission

#### March 29

#### House Committee **General Investigating & Ethics**

Charge 4: Examine the Judicial Campaign Fairness Act and identify opportunities to improve the Act

- *Tips From the Texas Ethics Commission to Comply With Judicial Campaign Fairness Act (JCFA) Contribution Limits*, Texas Ethics Commission, Revised August 18, 2016
- *Interim Report to the 83rd Legislature*, Select Interim Committee to Study Ethics Laws, January 2015
- *Campaign Finance Guide For Judicial Candidates and Officeholders*, Texas Ethics Commission, Revised September 1, 2013
- "Local Court Race Tests Judicial Campaign Law," *Texas Tribune*, July 26, 2012
- *Texas Election Code §§ 253.151 - 253.176*, Judicial Campaign Fairness Act

Charge 7: Review the implementation of **SB 73** (85R) relating to leave policies and procedures for state employees

- *Interim Report to the 85th Legislature* (Charge 3 - Emergency Leave and Settlement Payments), House Committee on General Investigating and Ethics, January 2017
- *A Report on State Agency Administration of Emergency and Administrative Leave*, Office of the Texas State Auditor, November 2, 2016
- *Analysis of State Agencies' Use of Separation Agreements*, Office of the Texas State Auditor, September 14, 2016
- *Texas Government Code Chapter 661*, State Officers and Employees - Leave
- *Texas Government Code § 661.902*, Emergency Leave
- *Texas Government Code § 2101.042*, Leave Reporting
- *Emergency Leave Reporting Requirements* (Fiscal Policies & Procedures), Texas Comptroller of Public Accounts, September 8, 2017