

HOUSE & SENATE BILLS: 85th TEXAS LEGISLATURE

[Bills in Red = Priority Bills]

HOUSE BILLS

BILL #	SUBJECT/OVERVIEW	STATUS
HB 71 Martinez, Mando	Relating to the transportation of certain mental health patients.	
HB 88 Marinez, Mando	Relating to an unlawful employment practice by an employer whose leave policy does not permit an employee to use leave to care for the employee's foster child. Applies to foster child under DFPS conservatorship.	
HB 91 White	Relating to a review of occupational licensing requirements related to an applicant's criminal history.	
HB 114 Krause	Relating to zero-based budgeting for certain entities funded by the state and submission of a zero-based budget by and performance of financial audit of an agency under Sunset Advisory Commission review.	
HB 118 Moody	Relating to increasing the personal needs allowance of certain Medicaid recipients who are residents of LTC facilities from \$60.00/month to \$75.00/month. Applies to NFs, ICFs/IID and ALFs. The bill does not apply to the PNA of persons receiving services through a Medicaid waiver.	
HB 125 Keough	Relating to the appointment of guardians ad litem and guardians	
HB 128 Minjarez	Relating to eligibility of a relative or other designated caregiver of a foster child for monetary assistance.	
HB 132 Minjarez	Relating to the ability of certain relative caretakers of dependent children to receive supplemental financial assistance and be assigned as protective payees for financial assistance payments.	
HB 146 Davis, S.	Relating to the use of supplemental nutrition assistance program benefits by electronic benefits transfer.	
HB 148 Schafer	Relating to electronic benefits transfer cards used for recipients of certain assistance program benefits.	
HB 249 Hernandez	Relating to definitions of abuse & neglect of a child applicable to abuse & neglect investigations in certain facilities.	
HB 280 Howard	Relating to a grant program for reducing workplace violence against nurses.	
HB 284 Springer	<p>Relating to authorization for certain healthcare facilities to secure residents with wheelchair self-release seat belts.</p> <p>The bill amends Chapter 322, Health and Safety Code which applies to:</p> <ul style="list-style-type: none"> (A) a general residential operation, as defined by Section 42.002, Human Resources Code, including a state-operated facility, serving children with an intellectual disability; (B) an ICF-IID licensed by DADS under Chapter 252 or operated by that department and exempt under Section 252.003 from the licensing requirements of that chapter; (C) a mental hospital or mental health facility, as defined by Section 571.003; (D) an institution, as defined by Section 242.002 [nursing homes]; (E) an assisted living facility, as defined by Section 247.002; or (F) a treatment facility, as defined by Section 464.001. <p>Section 322.055 of the Code states that a Medicaid waiver program provider, when providing supervised living or residential support, shall comply with this chapter and rules adopted under this chapter. [No changes to this section are proposed.]</p>	

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<u>HB 285 Alonzo</u>	Relating to the minimum wage requiring an employer to pay to each employee not less than the greater of: \$15.00 an hour; or the federal minimum wage under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206). Companion Bill – HB 475 – Reynolds.	
<u>HB 292 Munoz, Jr.</u>	Relating to the expansion of eligibility for Medicaid in certain counties under the federal Patient Protection and Affordable Care Act.	
<u>HB 309 Johnson, Jarvis</u>	Relating to the establishment of a home and community-based services program under Medicaid for certain persons with severe and persistent mental illness.	
<u>HB 335 Collier</u>	Relating to administrative and judicial review of certain Medicaid reimbursement disputes; authorizing a fee. Amends Chapter 533, Government Code to add requirements related to the prohibition of confiscatory reimbursement rates and processes related to administrative and judicial review of certain reimbursement disputes between a provider and a MCO. In brief, the bill proposes that a MCO may not pay a "confiscatory" reimbursement rate to a provider, a rate that is below the rate necessary to: (1) recover the provider's reasonable operating expenses; (2) realize a reasonable return on the provider's costs; and (3) ensure confidence in the provider's continued: financial integrity; and participation in Medicaid.	
<u>HB 336 Collier</u>	Relating to the duties and powers of the office of public insurance counsel concerning the adequacy of networks offered in this state by managed care plans	
<u>HB 436 King, Ken</u>	Relating to the drug testing of certain persons seeking benefits under the Temporary Assistance for Needy Families (TANF) program.	
<u>HB 462 Dale</u>	Relating to a report on legislation that includes a grant of rulemaking authority and rules adopted under that authority.	
<u>HB 475 Reynolds</u>	Relating to the minimum wage. Companion to HB 285 by Alonzo.	
<u>HB 482 Walle</u>	Relating to employee caseload limit goals for child and adult protective services and child-care licensing services and call processing goals for certain of those services.	
<u>HB 507 Israel</u>	Relating to the expansion of eligibility for medical assistance to certain persons under the federal Patient Protection and Affordable Care Act.	
<u>HB 508 Button</u>	Relating to lobbying by former members of the legislature.	
<u>HB 511 Davis, S.</u>	Relating to removing the deadline for the Department of Family and Protective Services to enter into permanency care assistance agreements.	
<u>HB 548 Deshotel</u>	Relating to the consideration of criminal history record information regarding applicants for employment. Note: The bill does not apply to an applicant for a position for which consideration of criminal history record information is required by law.	
<u>HB 552 White, James</u>	Relating to state regulation of occupations for which a license or certificate of registration or other authorization is required by state law or rule. In brief states that: (a) An individual in this state has the right to engage in any lawful occupation without burdensome governmental regulation. (b) lawful occupation may be regulated by the state only if the state agency enforcing the regulation demonstrates that the regulation is:	

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	(1) necessary to fulfill the purpose and intent of the statute authorizing the occupation 's regulation; and (2) not substantially burdensome.	
<u>HB 563</u> Israel	Relating to whom certain violations of the law by a state or local governmental entity may be reported. In brief: A state or local governmental entity may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports a violation of law by the employing governmental entity or another public employee to: (1)the reporting employee 's supervisor at the employing governmental entity; (2) an individual or office designated by the employing governmental entity as the appropriate individual or office for reporting such grievances; (3) a member of the human resources staff of the employing governmental entity; (4) the office of the attorney general; or (5)an appropriate law enforcement authority	
<u>HB 576</u> Gonzalez	Relating to medical examinations for certain children taken into possession by DFPS or another governmental entity for more than 30 days.	
<u>HB 577</u> Workman	Relating to a political subdivision's authority to adopt or enforce certain regulations regarding whether private employer may obtain or consider an employment applicant's or employee's criminal history record information.	
<u>HB 579</u> Turner	Relating to notice of certain state agency contract cost that exceeds the amount of the contract.	
<u>HB 593</u> Burrows	Relating to the establishment of an advisory committee on prescriptive authority of certain psychologists.	
<u>HB 596</u> Johnson, J.	Relating to the duration of an appointment of a guardian ad litem or an attorney ad litem for a child in DFPS conservatorship.	
<u>HB 627</u> Gutierrez	Relating to the regulation of licensed specialists in school psychology, adding new eligibility requirements.	
<u>HB 630</u> Howard, D.	Relating to the Internet broadcast and archiving of open meetings of HHSC, other health and human services agencies, and related advisory entities.	
<u>HB 634</u> Gonzalez, M.	Relating to minimum education requirements for child protective services caseworkers (must have bachelor's degree).	
	<i>Concerning the 5 bills below filed by Rep. Wu, please know he filed 13 additional bills related to children under the care of DFPS. The 5 presented below were deemed to be of potential interest to PPAT members which may serve children under the care of DFPS.</i>	
<u>HB 689</u> Wu, G.	Relating to the determination of intellectual disability for children in foster care. Allows DFPS to assess a child for a developmental or intellectual disability only once during the period of time that the child receives foster care. An assessment must be done if the child is placed in FC prior to age 16; if placed after age 16 the assessment must be done as soon as possible after placement.	

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HB 692 Wu, G.	Relating to monetary assistance for a relative or other designated caregiver of children in foster care.	
HB 693 Wu, G.	Relating to medical and psychological assessments and services for children in the managing conservatorship of DFPS.	
HB 694 Wu, G.	Relating to the response time for investigating a report of abuse or neglect of a child.	
HB 707 Wu, G.	Relating to certain service plans for children in the care of DFPS.	
HB 727 Guerra	<p>Relating to the use of home tele-monitoring services under Medicaid.</p> <p>Applies to: Home and community support services agencies licensed under Chapter 142, Health and Safety Code, to provide home health, hospice, or personal assistance services as defined by Section 142.001, Health and Safety Code; and Hospitals as licensed under Chapter 241, Health and Safety Code.</p> <p>Amends current law to add subsection (xii) below as a diagnosis to which home telemonitoring must be available and provided by the programs referenced above. Current and proposed diagnoses/conditions to which this section applies are as follows:</p> <ul style="list-style-type: none"> (i) pregnancy; (ii) diabetes; (iii) heart disease; (iv) cancer; (v) chronic obstructive pulmonary disease; (vi) hypertension; (vii) congestive heart failure; (viii) mental illness or serious emotional disturbance; (ix) asthma; (x) myocardial infarction; or (xi) stroke; and (xii) <u>another condition for which the commission makes an evidence-based determination that monitoring through the use of home telemonitoring services is cost-effective and feasible</u> 	
HB 740 Burkett	Relating to application and license fees for certain child-care facilities and child-placing agencies, specifying the fee amounts.	
HB 775 Fallon	Relating to the drug testing of certain persons seeking benefits under the Temporary Assistance for Needy Families (TANF) program.	
HB 792 Capriglione	Relating to the exception from disclosure under the public information law for information related to competition or bidding.	
HB 793 Capriglione	Relating to the definition of a governmental body for the purposes of the public information law.	

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<p><u>HB 837</u> Allen</p>	<p>Relating to notice provided to persons with disabilities regarding the eligibility of persons with disabilities to use certain public transportation services.</p> <p>In brief the bill proposes that “A provider shall notify each individual who resides in the provider’s service area and is eligible to use the provider’s services of the individual’s rights under 49 C.F.R. Section 37.127.”</p>	
<p><u>HB 839</u> Ortega</p>	<p>Relating to the availability under the public information law of information contained in a bid or proposal after a contract is executed or awarded. Companion to SB 425. See page 10.</p>	
<p><u>HB 840</u> Ortega</p>	<p>Relating to authorization for a county or municipality to establish a local minimum wage greater than the wage required under Section 62.051 of the Labor Code. [<i>In other words, the federal minimum wage under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206).</i>] Companion to SB 427.</p>	
<p><u>HB 850</u> Turner, C.</p>	<p>Relating to an exemption from ad valorem taxation of a portion of the appraised value of certain real property used to provide housing to certain individuals with disabilities. See also HJR 52.</p> <p>Similar to HB 1328 (also by Turner, and filed during the 84th Session, yet was left pending in Calendars Committee), the bill proposes that “A person is entitled to an exemption from taxation of a portion, expressed as a dollar amount, of the appraised value of real property that the person owns and that is used as: a group home operating under a Section 1915(c) waiver program; or an ICF/IID if at least 95% of the residents of the facility are recipients of medical assistance under Chapter 32, Human Resources Code.</p> <p>The bill further proposes that:</p> <ul style="list-style-type: none"> ~ The amount of the exemption authorized is an amount equal to the costs incurred by the property owner in maintaining, operating, and making improvements to the property during the preceding 12-month period, and ~ An application for an exemption must include an affidavit stating the costs incurred by the property owner in maintaining, operating, and making improvements to the property during the preceding 12-month period and include any relevant information or documentation required by the application form. ~ If passed, takes effect January 1, 2018, <u>but only if HJR 52 (see below) passes and is approved by the voters.</u> If that amendment is not approved by the voters, this Act has no effect. 	
<p><u>HB 871</u> Roberts</p>	<p>Relating to the provision of child and family services by DFPS.</p> <p>Amends Chapter 26 of the Family Code adding the following: The department shall cooperate with nonprofit organizations, including faith-based organizations, in providing to families in crisis:</p> <ol style="list-style-type: none"> (1) child and family services, including respite care, voluntary guardianship, and other support services; and (2) information on child and family services available in the child’s community. <p>The department may not initiate an investigation of child abuse or neglect based solely on a request submitted to the department by a child’s parent for information relating to child and family services available to families in crisis.</p>	

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HB 888 Raymond	Relating to honesty in state taxation.	
HB 892 Raymond	Relating to an annual state budget and legislative budget sessions in even-numbered years and to political contributions made during a legislative session.	
HB 909 Romero, R.	Relating to preliminary examination periods for mental health protective custody. Amends Health and Safety Code, changing the period of time a person accepted for a preliminary examination may be detained in custody from not longer than 48 hours to 72 hours after the time the person is presented to the facility unless a written order for protective custody is obtained.	
HB 914 Thompson, S.	Relating to the administration of services provided by DFPS, including foster care, child protective, and prevention and early intervention services.	
HB 916 Thierry, S.	Relating to requiring financial institutions to report the suspected financial abuse of elderly persons. <i>The bill amends multiple Texas State Codes. PPAT is in midst of comparing the proposed changes and proposed new sections to current law to determine their applicability to the programs PPAT members. See also HB 959 – Thierry which relates to the same subject yet creates civil penalties and criminal offenses.</i>	
HB 924 Turner, C.	Relating to the minimum wage. Requires an employer shall pay to each employee not less than the greater of: (1) \$10.10 an hour; or (2) the federal minimum wage under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206) contingent on approval of voters. If that proposed constitutional amendment [<i>refers to HJR 56</i>] is not approved by the voters, this Act has no effect.	
HB 936 Schofield	Relating to the constitutional limit on the rate of growth of appropriations.	
HB 937 Thompson, S.	Relating to the minimum wage. Amends current law to read as follows: (a) Except as provided by Sections 62.052 [<i>governs employees who are 'tipped'</i>] and 62.057 [<i>i.e., facilities operated by the state; SSLCs and hospitals</i>], an employer shall pay to each employee not less than the greater of: (1) \$10.10 an hour; or (2) the federal minimum wage under Section 6, Fair Labor Standards Act (FLSA) of 1938 (29 U.S.C. Section 206). (b) This subsection applies to wages paid by an employer for the 2018, 2019, 2020, and 2021 calendar years. Subsection (a) does not apply in a year to which this subsection applies. Except as provided by Sections 62.052 and 62.057: (1) for the 2018 and 2019 calendar years, an employer shall pay to each employee not less than the greater of: (A) \$8.25 an hour; or (B) the federal minimum wage under Section 6, FLSA of 1938 (29 U.S.C. Section 206); and	

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	(2) for the 2020 and 2021 calendar years, an employer shall pay to each employee not less than the greater of: (A) \$9.25 an hour; or (B) the federal minimum wage under Section 6, FLSA of 1938 (29 U.S.C. Section 206). (c) Subsection (b) and this subsection expire January 1, 2022.	
HB 951 Rodriguez, J	Establishes an office of <u>independent</u> ombudsman for DFPS.	
HB 954 Rodriguez, J.	Relating to authorization for a county or municipality to establish a local minimum wage. Companion SB 427 – Rodriguez	
HB 959 Thierry	Relating to the financial abuse of elderly persons, including requiring financial institutions to report suspected financial abuse of elderly persons; providing a civil penalty; creating criminal offenses.	
HB 992 Walle	Relating to the minimum wage. See also HJR 57 – Walle. Companion Bill: SB 229 by Menendez States the following: Except as provided by Section 62.057, an employer shall pay to each employee <u>not less than the greater of</u> : (1) \$15.00 an hour; or (2) the federal minimum wage under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206).	
HB 1025 Leach, Jeff	Relating to the constitutional limit on the rate of growth of appropriations. Companion Bill: SB 9 - Hancock	
HB 1055 Burkett, Cindy	Relating to a limitation on the amount of certain licensing fees charged by state agencies. Amends Chapter 57, Occupations Code proposing that “Notwithstanding any other law, a state agency may not increase the amount of a fee established on or before Jan. 1, 2017, for issuance or renewal of a license issued by the agency, to an amount greater than the amount of that fee on Jan. 1, 2017.	
HB 1070 Leach, Jeff	Relating to discrimination by a health care provider based on immunization status. States that: A health care provider may not refuse to provide health care services to a patient solely because a patient has or has not received immunization for a particular communicable disease. A health care provider that violates this section is not eligible to receive money from the state for services provided to patients, including under the medical assistance program under Chapter 32, Human Resources Code, or under the state child health plan under Chapter 62, Health and Safety Code.	
HB 1123 Springer, Drew	Relating to continuing education requirements for architects regarding compliance with the federal Americans with Disabilities Act. Requires that architects must complete continuing education relating to barrier-free design and compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.)	
HB 1133 Sheffield	Relating to the reimbursement of prescription drugs under Medicaid and the child health plan program. Amends current law related to a contract between a managed care organization and the commission for the organization to provide health care services to recipients specifying what a MCO must do.	

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<p><u>HB 1206</u> Shaheen</p>	<p>Relating to allowing Medicaid managed care organizations to adopt their own drug formularies. [This bill is a priority legislative goal for the Texas Association of Health Plans (TAHP) and the MCOs which they represent. It will generate significant debate with many in support and many in opposition. Further information will follow.]</p>	
<p><u>HB 1225</u> Smithee</p>	<p>Relating to the participation of an advanced practice registered nurse as a primary care or network provider for certain governmental and other health benefit plans.</p> <p>In brief, states that “For purposes of Subsection (a)(13), an advanced practice registered nurse may be included as a primary care provider in a managed care organization’s provider network regardless of whether the physician supervising the advanced practice registered nurse is in the provider network. This subsection may not be construed as authorizing a managed care organization to supervise or control the practice of medicine as prohibited by Subtitle B, Title 3, Occupations Code.</p>	
<p><u>HB 1227</u> Smithee</p>	<p>Relating to the transparency of certain information related to prescription drug coverage provided by certain health benefit plans.</p>	
<p><u>HB 1289</u> Murr</p>	<p>Relating to the transportation of a person believed to be a person with mental illness.</p>	
<p><u>HB 1290</u> Roberts</p>	<p>Relating to the required repeal of a state agency rule before adoption of a new state agency rule. [This bill is not as extensive as SB 210 filed by Kolkhorst relating to the required repeal or amendment of two state agency rules before adoption of a new state agency rule that increases costs to regulated persons.]</p> <p>In brief states: Except as provided by Subsection (c) [<i>see next sentence</i>], a state agency may not adopt a proposed rule unless on or before the effective date of the proposed rule the state agency repeals at least one state agency rule. This section does not apply to the adoption of a rule:</p> <ol style="list-style-type: none"> (1) Specifically required by the legislature; or (2) Necessary to protect the health and safety of the residents of this state as authorized under the Health and Safety Code. 	
<p><u>HB 1296</u> Frullo</p>	<p>Relating to health benefit coverage for prescription drug synchronization</p>	
<p><u>HB 1335</u> Simmons</p>	<p>Relating to the establishment of an education savings account program for certain children with special needs and other educational disadvantages.</p>	
<p><u>HCR 37</u> Workman</p>	<p>Resolution that the 85th Legislature of the State of Texas call on the United States Congress to repeal Public Law 111-148, the Patient Protection and Affordable Care Act.</p>	
<p><u>HJR 45</u> Schofield</p>	<p>Proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.</p>	
<p><u>HJR 52</u> Turner, C.</p>	<p>Proposes a constitutional amendment authorizing the legislature to exempt from ad valorem taxation a portion of the assessed value of certain real property used to provide housing to certain individuals with disabilities. See also HB 850.</p>	

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HJR 53 Raymond	Proposing a constitutional amendment providing for an annual state budget and annual legislative sessions for budget purposes.	
HR 1 Geren	Granting privileges of the floor for the house.	Enrolled
HR 2 Hunter	Providing for the election of the speaker of the house	Enrolled
HJR 56 Turner, C.	Proposing a constitutional amendment establishing an increased minimum wage. See HB 924 – Turner.	
HJR 57 Walle	Proposing a constitutional amendment establishing an increased minimum wage. See HB 992 – Walle.	
HR 3 Geren	Adopting the Housekeeping Resolution for the House of Representatives of the 85th Legislature.	Adopted
HR 4 Smithee,J.	The adopted permanent rules of the House of Representatives of the 85th Legislature.	Adopted

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SENATE BILLS

BILL #	SUBJECT/OVERVIEW	STATUS
SB 1 Nelson	FY 2018-2019 Appropriations Bill	
SB 9 Hancock	Relating to the constitutional limit on the rate of growth of appropriations.	
SB 11 Schwertner	Relating to the administration of services provided by DFPS, including foster care, child protective, and prevent and early intervention services.	
SB 23 Schwertner	Relating to requiring state contractors to participate in the federal electronic verification of employment authorization program, or E-verify. <i>[It does not appear this applies to providers of IDD services. Clarification though is being pursued.]</i>	
SB 36 Zaffirini	Relating to the regulation of certain guardianship programs. Among other things, requires HHSC, in consultation with HHSC and other interested parties, to adopt minimum standards for the operation of guardianship programs, and design the standards to monitor and ensure the quality of guardianship and related services provided by guardianship programs.	

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SB 37 Zaffirini	Relating to requirement to obtain certification for attorneys representing persons in guardianship proceedings.	
SB 38 Zaffirini	Relating to guardianships. Adds requirements relating to circumstances under which a probabte court may revoke a guardianship and permits a court to transfer the transaction of business of a pending guardianship from one county to another of the ward is residing in the county to which the transfer is to be made.	
SB 39 Zaffirini	Relating to guardianships for persons who have physical disabilities or who are incapacitated. Specifies requirements related to: i) Supporter's Duties to include that when one accepts the authority granted to a supporter via a supported decision-making agreement a "fiduciary" relationship with the adult with a disability who executes the agreement is established, and requirements related to Termination of an Agent's Authority; and ii) removal of Attorney-In Fact and appointment of a designated successor.	
SB 51 Zaffirini	Relating to financial eligibility for the TxHmL waiver program. Specifies a person is financially eligible to participate in TxHmL if the person's income is not more than 300% of the monthly income limit for eligibility for SSI benefits under 42 U.S.C. Section 1381 et seq.	
SB 52 Zaffirini	Relating to provider reimbursement for the provision of certain home telemonitoring services under Medicaid. Applies to pediatric patients; specifies the criteria under which the services may be reimbursed.	
SB 53 Zaffirini	Relating to the period of continuous eligibility for the medical assistance (MA) program. Requires HHSC to adopt rules in accordance with 42 U.S.C. Section 1396a(e)(12), as amended, to provide a period of continuous eligibility for a child under 19 years of age who is determined eligible for MA. The rules shall provide that the child remains eligible for MA, without additional review by HHSC and regardless of changes in the child's resources or income, until the earlier of: (1) the first anniversary of end of the six-month period following the date on which child's eligibility was determined; or (2) the child's 19th birthday.	
SB 74 Nelson	Relating to the provision of certain behavioral health services to children, adolescents, and their families under a contract with a managed care organization.	
SB 79 Nelson	Relating to the production of public information available on a publicly accessible website, making minor technical amendments only.	
SB 80 Nelson	Relating to certain required reports prepared by state agencies and other governmental entities. Among other amendments removes the following requirements related to Medicaid health insurance providers fee and associated federal income tax: [Before HHSC makes any capitation payments to MCOs that are adjusted using money appropriated under this section, the HHSC executive commissioner shall submit a report to the LBB that specifies: (1) the methodology and bases used to determine the amount of the capitation payment adjustments; (2) the amounts by which capitation payments are adjusted using money appropriated under this section; and (3) whether any MCO that is a recipient of a capitation payment adjustment paid using money appropriated under this section was also a recipient of one or more other Medicaid capitation payment adjustments paid during the state fiscal biennium ending August 31, 2013, or August 31, 2015, and the aggregate cost to this state of the other Medicaid capitation payment adjustments paid during those bienniums.]	
SB 137 V. Taylor	Relating to lobbying activities engaged in by state employees.	

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SB 190 Uresti	Relating to DFPS' effective management of caseloads in the investigation of child abuse or neglect reports.	
SB 210 Kolkhorst	<p>Relating to the required repeal or amendment of two state agency rules before adoption of a new state agency rule that increases costs to regulated persons.</p> <p>Specifies that a state agency may not adopt a proposed rule that imposes a cost on any regulated person, including another state agency, a special district, and a local government, unless:</p> <p>(1) on or before the effective date of the proposed rule the state agency:</p> <p>(A) repeals two state agency rules that impose total costs on the person in an amount equal to or greater than the cost imposed on the person by the proposed rule;</p> <p>(B) amends two state agency rules to decrease the total costs imposed on the person by an amount equal to or greater than the cost imposed on the person by the proposed rule; or</p> <p>(C) repeals one state agency rule and amends one state agency rule to decrease the total costs imposed on the person by an amount equal to or less than the proposed rule; and</p> <p>(2) the comptroller certifies in writing that the proposed rule meets the requirements of Subdivision (1). The requirements do not apply to a rule that relates to state agency procurement; or is amended to: reduce the burden or responsibilities imposed on a regulated person by the rule; or decrease the person's cost for compliance with the rule.</p>	
SB 211 Menendez	Relating to the eligibility of a relative or other designated caregiver of a foster child for monetary assistance.	
SB 212 Menendez	Relating to the ability of certain relative caretakers of dependent children to receive supplemental financial assistance and be assigned as protective payees for financial assistance payments.	
SB 213 Menendez	Relating to the creation of an office of independent ombudsman for DFPS.	
SB 229 Menendez	Relating to minimum wage, requiring an employer to pay to each employee not less than the greater of \$10.10 an hour; or the federal minimum wage under Section 6, FLSA of 1938 (29 U.S.C. Section 206).	
SB 268 Nelson	Relating to drug testing of certain persons seeking benefits under TANF.	
SB 275 Watson	Relating to the retention and use of sales tax revenue collected by certain retailers to provide job training and placement services to certain persons, specifically persons with disabilities.	
SB 289 Taylor	Relating to the preparation of government growth impact statements for rules proposed by state agencies.	
SB 293 Hinojosa & Schwertner	<p>Relating to the proof required to impose payment holds in certain cases of alleged fraud by Medicaid Providers.</p> <p>Amends current law to require: The executive commissioner, in consultation with the office, shall adopt rules regarding what constitutes an ongoing significant financial risk to the state and a threat to the integrity of Medicaid for purposes of Subdivision (3)(C). <i>Subdivision (3) (C) is not new language and reads as follows: the office is required to show probable cause that the credible allegation of fraud that is the basis of the payment hold has an indicia of reliability and that continuing to pay the provider presents an ongoing significant financial risk to the state and a threat to the integrity of Medicaid</i></p>	
SB 296 Hinojosa	Relating to the liability of the state for a violation of the federal Americans with Disabilities Act.	

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SB 326 Burton	Relating to the authority of a court to return certain fees to a person whose criminal record has been expunged.	
SB 327 Burton	Relating to the authority of a court to return certain fees to a person who is the subject of an order of nondisclosure of criminal history record information.	
SB 377 Perry	<p>Relating to the Texas Achieving a Better Life Experience (ABLE) Program</p> <p>In brief the bill clarifies that the Board may enter into agreements or other transactions with the US, state agencies and other entities as necessary, <u>including an agreement to engage services through a consortium of states and with another entity to act as plan manager.</u></p> <p>The bill also amends current law under Section 54.905 (f) of the Education Code as follows: (f) In the board 's discretion, the board may contract with: (1) <u>one or more financial institutions, including a financial institution retained by another state or a consortium of states,</u> or other entities to serve as plan <u>managers</u>; [manager] and (2) <u>one or more financial institutions, including a financial institution retained by another state or a consortium of states,</u> to invest the money in ABLE accounts.</p>	
SB 397 Kolkhorst	<p>Relating to the composition of the governing bodies of and the consultation policies of local mental health authorities (LMHA) with respect to local law enforcement agencies.</p> <p>Amends current law by adding: If a LMHA has a governing body, the governing body must include one representative of a local law enforcement agency of a county or municipality in the local authority's service area. If a LMHA does not have a governing body, the local authority shall consult with a designated representative of a local law enforcement agency of a county or municipality in the local authority's service area regarding the use of the funds received under Subsection (b) [of this section].</p>	
SB 398 Kolkhorst	Relating to a study conducted by the State Auditor's Office to compare the projected cost estimate attached to certain bills and resolutions to the actual cost to the state of the bills and resolutions.	
SB 402 Zaffirini,	Relating to notice provided to persons with disabilities regarding the eligibility of persons with disabilities to use certain public transportation services,	
SB 404 Kolkhorst	Relating to prohibiting health care practitioners from providing alcoholic beverages to certain persons; imposing administrative penalty	
SB 408 Watson	Relating to the definition of a governmental body for the purposes of the public information law.	
SB 407 Watson	Relating to the exception from disclosure under the public information law for information related to competition and bidding.	
SB 425 Rodriguez, J.	Relating to the availability under the public information law of information contained in a bid or proposal after a contract is executed or awarded. Companion to HB 839 .	
SB 427 Rodriguez, J.	Relating to authorization for a county or municipality to establish a local minimum wage. Companion to HB 840 .	

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<p><u>SB 428</u> Rodriguez, J.</p>	<p>Relating to the waiver of state park, museum, and other state-operated facility entrance fees for persons with certain disabilities.</p>	
<p><u>SB 429</u> Rodriguez, J.</p>	<p>Relating to minimum education requirements for child protective services caseworkers.</p> <p>Parallels HB 634 noting that DFPS may not hire a person to be a CPS caseworker unless the person has a bachelor's degree or an advanced degree in social work or another field related to human services conferred by a college or university accredited by an accrediting organization recognized by the Texas Higher Education Coordinating Board.</p>	
<p><u>SB 431</u> Rodriguez, J.</p>	<p>Relating to the authority of an advanced practice registered nurse to sign or issue certain documents.</p> <p>Amends multiple Texas Codes to authorize that an advanced practice registered nurse who is licensed to practice advanced practice registered nursing in the United States in which it is stated may sign an affidavit or certificate confirming that in the advanced practice registered nurse's opinion, an immunization required poses a significant risk to the health and well-being of an applicant or any member of an applicant's family or household. Current law limits such only to a physician who is duly registered and licensed to practice medicine in the United States.</p>	
<p><u>SB 433</u> Rodriguez, J.</p>	<p>Relating to the prescribing and ordering of Schedule II controlled substances by certain advanced practice registered nurses and physician assistants.</p> <p>Amends Chapter 562, Texas Occupation Code by adding the following: A pharmacist practicing in a Class A pharmacy shall dispense a controlled substance listed in Schedule II as established by the commissioner of state health services under Chapter 481, Health and Safety Code, that is prescribed by an advanced practice registered nurse or physician assistant to whom a physician has delegated prescribing and ordering authority under Section 157.0511(b-1).</p>	
<p><u>SB 455</u> Zaffirini</p>	<p>Relating to the operations of the Employment-First Task Force.</p> <ul style="list-style-type: none"> • Amends the composition of the Task Force by removing representatives from DADS and DARS and adding three representatives of the commission, one of whom represents the commission's assistive and rehabilitative services functions and one of whom represents the commission's aging and disability services functions; • Expands the authority of the Task Force to require it provides guidance and assistance to a state agency in implementing any policy or rule changes related to its charge. • Authorizes that the Task Force must meet at least quarterly and at other times at the call of the presiding officer. 	
<p><u>SB 456</u> Taylor, V.</p>	<p>Relating to the right of members of the legislature, the lieutenant governor, committees of the legislature, and legislative agencies to access certain governmental information for legislative purposes; creating a criminal offense</p>	
<p><u>SB 476</u> Rodriguez, Jose</p>	<p>Relating to claims for unpaid wages. Addresses employer retaliation stating that an employer may not suspend or terminate the employment of or in any other manner discipline, discriminate against, or retaliate against an employee who in good faith seeks to recover wages owed to the employee,</p>	

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<p>SB 477 Lucio, Eddie</p>	<p>Relating to a report by the Texas Workforce Commission regarding certain employee issues</p>	
<p>SB 479 Burton, Konn</p>	<p>Relating to informed consent to immunizations for children. Companion Bill: HB 1029 by Zedler</p>	
<p>SB 498 Zaffirini.</p>	<p>Relating to the use of person first respectful language instead of the term "ward."</p> <p>Amends Chapter 1001 of the Estates Code directing that the legislature, the Texas Legislative Council, and other state agencies and entities are directed to avoid using the term "ward" in any new provision of law and are directed to replace, as appropriate, that term in any existing law as that existing law is otherwise amended adding terms that are acceptable.</p>	
<p>SB 545 Lucio</p>	<p>Relating to information regarding autism spectrum disorders.</p> <ul style="list-style-type: none"> ▪ In brief requires DSHS to make available information regarding autism spectrum disorders that includes: <ul style="list-style-type: none"> (1) information addressing physical, developmental, educational, and psychosocial outcomes, behavioral safety concerns, life expectancy, clinical course, and intellectual and functional development for individuals with an autism spectrum disorder; (2) information regarding available treatment options for individuals with an autism spectrum disorder; (3) contact information for national and local autism spectrum disorder education and support programs, services, and organizations, including organizations in Houston, Dallas, San Antonio, and Austin, and information hotlines, resource centers, and clearinghouses; and (4) any other information. ▪ Specifies requirements of the information provided. ▪ Requires that the information be posted on DSHS' webpage) and that certain healthcare providers (those who diagnose the disorder, or test or cause for a test to be administered) also share the information. 	
<p>SB 547 Kolkhorst</p>	<p>Relating to creation of a schedule of support services a state supported living center may provide and procedures for establishing applicable fees for those services. [This pertains to the HHSC Exceptional Item Request #29 to establish a SSLC pilot that would support persons with IDD experiencing challenges finding medical and therapeutic providers in the community to receive such at the SSLC. The pilot would initially be limited to dental services. The long term goal is for the SSLCs to be able to offer these type services via contract with the MCOs (contingent on the success of the pilot and CMS approving the pilot). See the September 26, 2016, October 17, 2016 and January 23, 2017 PPAT Information Notices for more details.]</p> <ul style="list-style-type: none"> ▪ Requires HHSC to develop rules to establish: <ul style="list-style-type: none"> ○ a list of services a SSLC may provide under a contract described by Subsection (a); and ○ procedures for HHSC to create, maintain, and amend as needed a schedule of fees that a SSLC may charge for a service included in the list described by Subdivision (1). ▪ Directs that in creating a schedule of fees, the commission shall: 	

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	<ul style="list-style-type: none"> ○ use the reimbursement rate for the applicable service under the Medicaid program; or ○ modify that rate with a written justification for the modification and after holding a public hearing on the issue of the modification. ▪ States that: Notwithstanding Subsection (c), a SSLC, based on negotiations between the center and a MCO, as defined by Section 533.001, Government Code, may charge a fee for a service other than the fee provided by the schedule of fees created by HHSC under this section. 	
<u>SB 589</u> Lucio	Relating to establishment of the Texas Board of Behavior Analyst Examiners and requirement to obtain a license to practice as a behavior analyst or assistant behavior analyst; imposing fees; providing an administrative penalty.	
<u>SB 602</u> Hinojosa, Birdwell, Campbell, Schwertner	Establishment of a restructuring commission to evaluate each SSLC. Calls for a restructuring commission comprised of the HHSC Executive Commissioner, the Commissioner of the General Land Office, the Executive Director of the Texas Facilities Commission and 5 members appointed by the governor to ensure the state maintains only the number of SSLCs necessary to meet the level of need for those centers in Texas. The commission may not recommend the closure of more than 5 SSLCs. The commission must complete its evaluation and report by Dec., 2018. HHSC must ensure that any SSLC recommended for closure is closed not later than August 31, 2027.	
<u>SR 1</u> Whitmire.	Senate Caucus report	Enrolled
<u>SR 3</u> Hancock	Adopting Permanent Rules of the Senate of the 85th Legislature.	Enrolled
<u>SCR 1</u> Buckingham	Resolution calling on Congress to repeal Public Law 111-148, Patient Protection and Affordable Care Act	
<u>SCR 7</u> Whitmire, J.	Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 11, 2017, and ending on Tuesday, January 17, 2017.	Engrossed
<u>SJR 22</u> Menendez	Proposes constitutional amendment establishing increase in minimum wage. [Parallels SB 229 with certain exemptions.]	
<u>SJR 32</u> Taylor, Larry	Proposing a constitutional amendment authorizing the legislature to provide for legislative review or approval of state agency rules. States that "The legislature by general law may provide for legislative review or approval of rules adopted by agencies in the executive department. The law may: (1) prescribe procedures regarding rules; (2) prescribe conditions for rules to take effect; (3) provide for suspension, repeal, or expiration of rules; or (4) delegate powers to either legislative house, including committees in those houses.	

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