

# Policy Update: 83rd Interim Charges

**May 2014**

**Research & Planning Division**

**Travis County Health and Human Services & Veterans Service**

The following selected interim charges are relevant to agencies providing health and human services. This list is not comprehensive. Some charges are included that do not pertain to local services or systems directly, but may be relevant to the study, planning and maintenance of optimal local health and human service delivery systems.

#### A. Senate Committee Interim charges

1. Monitor implementation of SB 21 (83-R) which requires drug testing for unemployment insurance claimants. Investigate options to begin implementation of the rule without relying on US Department of Labor regulations. Make recommendations to ensure that unemployment insurance claimants are actively seeking work and not using illegal drugs. (Economic Development)
2. Project and examine the costs and economic impact to Texas businesses in complying with the federal healthcare law. Make recommendations on options for state government intervention to reduce negative impact of the federal health care law on Texas businesses. (Economic Development)
3. Review the Department of Family and Protective Services' efforts to reduce child fatalities. Review the process by which the Department of Family and Protective Services collects and uses data to evaluate agency performance and improve outcomes for children in the Child Protective Services system. Make recommendations to ensure the process effectively uses data to strategically improve caseworker performance, and identify and improve upon deficiencies within the system and improve overall outcomes for children and reduce child fatalities. (Health and Human Services)
4. Monitor the implementation of programs that were created or expanded by the 83rd Legislature to improve mental health and substance abuse services and assess these efforts' contribution to improved outcomes such as reduced recidivism in state hospitals, diversion from emergency rooms and county jails, and access to permanent supportive housing. Identify and address gaps in the current mental health and substance abuse system and make recommendations to better coordinate services across agencies and programs. (Health and Human Services)
5. Identify cost-effective alternatives to Medicaid and the Affordable Care Act to better connect low income individuals to health care services through private market-based solutions, including Medicaid block grants and waivers. Recommendations should strive to encourage cost sharing, promote personal responsibility, reduce uncompensated care costs, and contain increasing health care costs, improve access to care, address access to emergency department care issues in rural areas, promote the use of existing private coverage or employee sponsored coverage, reduce non-emergency use of emergency departments, and reduce the need for federal approval to the state Medicaid plan. (Health and Human Services)
6. Evaluate the TANF program structure. Make recommendations to improve the program's operations and ensure the program achieves outcomes that allow TANF recipients to find employment and achieve self-sufficiency. Recommendations should seek to ensure Texas is using the most effective work-related requirements and drug testing protocols. (Health and Human Services)
7. Build on previous legislative achievements in women's healthcare by examining women's access to preventative health care, pregnancy services, and post-partum care, and exploring ways to expand access and improve quality, particularly in rural and underserved areas of the state. Monitor the implementation of women's health programs in Texas. Assess these programs' impact on outcomes such as improving access to preventative services, reducing unplanned

- pregnancies, and achieving cost savings. Recommend ways to better coordinate the various programs in a manner that increases the number of women served, ensures adequate provider capacity statewide, and maximizes efficiencies to the state. (Health and Human Services)
8. Project and examine the costs and economic impact to Texas businesses in complying with the federal health care law. Make recommendations on options for state government intervention to reduce the negative impact of the federal health care law on Texas businesses. (Health and Human Services)
  9. Evaluate the current state of prescription drug abuse and strategies for reducing prescription drug abuse in Texas. Make recommendations on how these policies can be improved or modified to enhance the State of Texas' handling of services, treatments and education related to prescription drug abuse and to reduce the overall prevalence of prescription drug abuse. (Health and Human Services)
  10. Monitor implementation of legislation addressed by the Senate Committee on Health and Human Services, 83<sup>rd</sup> Legislature, Regular Session, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation, including but not limited to:
    - a. Monitor implementation of initiatives aimed at improving the quality and efficiency of Medicaid long-term care services and supports, including the redesign of services for individuals with intellectual and developmental disabilities.
    - b. Monitor implementation of initiatives aimed at reducing fraud, waste and abuse in Texas Medicaid and other health and human services programs. (Health and Human Services)
  11. Study the emerging negative impacts of the Federal Affordable Care Act, including the use of navigators, and make recommendations to mitigate any unintended consequences including rising health insurance premiums, lack of access to healthcare, mishandling of Texans' private information by insufficiently-trained navigators, and the Act's overall effect on Texas employers and insurance consumers. Evaluate free-market alternatives to the Act, including state-led proposals to repeal, reduce or replace the Act. Closely monitor and make recommendations on the continuation of the Texas Health Insurance Pool. (State Affairs)
  12. Monitor the actuarial and financial conditions of the pension and healthcare programs administered by the Teacher Retirement System (TRS) and the Employees Retirement System (ERS). (State Affairs)
  13. Study and make recommendations on increasing medical price transparency in Texas, including studying the impact of SB 1731, 80<sup>th</sup> Legislative Session. Analyze relevant reforms considered or implemented in other states and make recommendations regarding potential changes designed to create a more open marketplace for enhanced consumer decision making in Texas. (State Affairs)
  14. Study the operations of the Texas prison system with respect to medical and mental health care treatment. Study potential cost savings associated with identifying offenders with dual diagnoses and routing these individuals into appropriate services before, during and after involvement with the criminal justice system. Study the way in which geriatric parole cases are currently evaluated and identify opportunities for reducing costs associated with the geriatric inmate population without compromising public safety. (Criminal Justice)
  15. Study and make recommendations related to jail diversion, reduced recidivism rates, and access to services for those within the system who suffer from mental illness. Monitor progress and implementation of the jail diversion pilot program for the mentally ill in Harris County and determine the best practices to be applied statewide. (Criminal Justice)

16. Compile and inventory of all the juvenile specialty courts in the state, the juvenile population served and the courts' program guidelines and practices. Identify gaps in services, geographically, by issue area and juvenile population. Study the efficacy of each court through an analysis of recidivism rates and cost effectiveness and make recommendations regarding best practices of juvenile specialty courts. (Criminal Justice)
17. Study and make recommendations regarding sentencing of youth under 18 accused of committing serious crimes. (Criminal Justice)
18. Investigate the impact of federal actions (including the federal government shutdown, sequestration, military force reductions, and potential base closure or realignment) on active-duty service members, the Texas Military Department, veterans, their families, defense-related contractors, small businesses, local governments, and state agencies. (Veteran's Affairs and Military Installations)
19. Provide an update on the State Strike Force teams' progress and recommendations on any additional steps necessary to ensure that veterans promptly receive all federal disability benefits to which they are entitled. (Veteran's Affairs and Military Installations)
20. Study and make recommendations to improve access to services provided by non-profit organizations to veterans, their families, and survivors, including examining the effectiveness, standards, and consistency of the 2-1-1 information and referral system for military and veteran families statewide. (Veteran's Affairs and Military Installations)
21. Monitor the implementation of the veteran's occupational licensure bills passed during the 83rd Legislative Session to expedite the licensure process for those who are serving, have served, or are married to someone serving our nation in uniform. Study and make recommendations to strengthen and improve state efforts to ease the transition of military veterans and their spouses into the Texas civilian workforce. (Veteran's Affairs and Military Installations)
22. Monitor implementation of the veteran's mental health legislation passed during the 83rd Legislative Session, including funding to support the Military Veteran Peer Network at Department of State Health Services. Assess whether state mental health initiatives targeted to veterans and their families appropriately address Post Traumatic Stress Disorder. Study and make recommendations to enhance the delivery of mental health services to veterans at the local level through the network of Veteran County Service Officers. (Veteran's Affairs and Military Installations)

B. **House Committee Interim charges**

1. Monitor the administration of the Correctional Managed Health Care system and examine forecasts for short and long-term criminal justice populations and health care cost trends. (Appropriations and Corrections)
2. Monitor the implementation of cost-containment initiatives in health and human services programs directed by Health and Human Services Commission Rider 51. Recommend additional opportunities for cost containment, including but not limited to, improvements in the procurement of durable medical equipment and increased medication adherence among Medicaid clients. (Appropriations)
3. Monitor the administration of new state funding to expand behavioral health services in Texas. Make recommendations to improve coordination and prevent duplication of effort, including the behavioral health projects funded through the Medicaid 1115 waiver. Evaluate the methodology utilized by the state to fund the public mental health system in order to assess improvements in how mental health funds and associated performance targets are allocated throughout the state. Develop funding recommendations that emphasize equity in funding and

- performance expectations, improving outcomes, the attainment of performance targets, population needs, availability of local resources, and geographic diversity. (Appropriations)
4. Study the implementation of provisions in SB 7 and Article II Special Provisions Section 48 regarding the Program of All-Inclusive Care for the Elderly (PACE). Make recommendations for expansion of, and improvement in, the delivery of these services if cost-effective. (Appropriations)
  5. Examine the immediate and long-term fiscal impact of the Employees Retirement System (ERS) employee health care plan (Joint Charge with Pensions and Appropriations)
  6. Study the affordability of health care for active public school employees. Examine how premiums and out-of-pocket costs have increased over time and how these increases have affected employees and school districts, and make appropriate recommendations. (Appropriations and Pensions)
  7. Examine the immediate and long-term fiscal impact of the Teacher Retirement System health care plan (TRS-Care). (Joint Pensions and Appropriations)
  8. Study and review the correctional facilities and processes within Texas Department of Criminal Justice, Texas Board of Pardons and Paroles, and Texas Juvenile Justice Department with emphasis on efficiencies, effectiveness, and recidivism. Examine the existing programmatic approach per facility in the areas of the vocation, education, visitation, rehabilitation, health and mental health services, parole supervision, and reentry initiatives. Evaluate opportunities for partnerships between facilities and private industries to offer education, job training, and potential employment for offenders during incarceration, parole, and final release. (Corrections)
  9. Examine the association between co-occurring serious mental illness and substance use disorders and parole revocation among inmates from the Texas Department of Criminal Justice. Review current policies and procedures for incarcerating individuals with a dual mental health diagnosis in both state and county correctional facilities and examine potential remedies within the State's criminal justice system to ensure that the public is protected and that individuals with a mental health diagnosis receive a continuum of mental health services. (Criminal Jurisprudence and Corrections)
  10. In the area of Juvenile Justice, analyze and make recommendations on outcome-based financing models that allow the state to partner with private investors and innovative service providers willing to cover the upfront costs and assume performance risk to divert youths into cost-effective programs and interventions, while assuring that taxpayers will not pay for the programs unless the programs demonstrate success in achieving the desired outcomes. (Corrections)
  11. Determine which counties have implemented a cite-and-summons policy, whether the policy has been effective in lessening overcrowding in county jails, and whether those cited by peace officers comply with the policy. (Corrections)
  12. Study the implementation of SB 462 (83R). Examine which counties currently have veterans courts, as well as veterans courts in other states, and determine how those programs are working and whether these courts provide additional services or resources for veterans. Make appropriate recommendations. (Defense and Veterans' Affairs and Corrections)
  13. Examine population growth in Texas counties and impact of growth on housing, available land resources, businesses in Texas, as well as impact of growth on the state's economy. Evaluate Texas's preparedness to respond to future growth and ensure economic stability. (County Affairs)
  14. Continue oversight of the Texas Commission on Jail Standards and issues jails currently face, including the mental health of those in jail, and make recommendations for refinement or improvement of processes and programs. (County Affairs)

15. Monitor the health advisory panel stemming from HB 339 (83R). (County Affairs)
16. Conduct legislative oversight and monitoring of the agencies and programs under the committee's jurisdiction and the implementation of relevant legislation passed by the 83<sup>rd</sup> Legislature. In conducting this oversight, the committee should a. consider any reforms to state agencies to make them more responsive to Texas taxpayers and citizens; b. identify issues regarding the agency or its governance that may be appropriate to investigate, improve, remedy or eliminate; c. determine whether an agency is operating in a transparent and efficient manner; and d. identify opportunities to streamline programs and services while maintaining the mission of the agency and its programs. (County Affairs) (Note that the hearing notice regarding committee meetings on this charge make it clear that the committee will consider the 1115 Waiver in the context of this charge.)
17. Study the classification of 17-year-olds as adults in the criminal justice system of Texas. (Criminal Jurisprudence)
18. Examine the association between co-occurring serious mental illness and substance use disorders and parole revocation among inmates from the Texas Department of Criminal Justice. Review current policies and procedures for incarcerating individuals with a dual mental health diagnosis in both state and county correctional facilities and examine potential remedies within the State's criminal justice system to ensure that the public is protected and that individuals with a mental health diagnosis receive a continuum of mental health services. (Corrections and Criminal Jurisprudence)
19. Study methods to assure returning veterans have access to necessary transition assistance and access to job training, education, and sustainable employment, including monitoring federal actions and coordinating state and private programs. Specifically, explore options for alternative certification programs that give returning military service men and women credit for skills learned and time served while on active duty. Track related legislation passed during the 83<sup>rd</sup> Legislature. (Defense and Veteran's Affairs)
20. Examine the recommendations contained in the report by the Texas Coordinating Council for Veterans Services (TCCVS), study whether these recommendations have been implemented, and examine new methods to help homeless Veterans using state, regional, and local resources. (Urban Affairs and Defense and Veteran's Affairs)
21. Monitor the implementation of HB 2392 (83R), Peer-to-Peer Mental Health Program, administered by the Department of Health and Human Services, particularly the interface with local mental health authorities and veterans' groups, with a focus on issues related to Post-Traumatic Stress Disorder (PTSD). (Veteran's Affairs)
22. Examine crisis resources for individuals with co-occurring mental illness and intellectual/developmental disabilities. Identify strategies to serve individuals with complex behavioral and medical needs in the community. (Human Services)
23. Monitor the implementation of Foster Care Redesign. Evaluate its impact on the child welfare system in areas of the state where redesign is underway, including transition from the legacy system, foster family retention and recruitment, placement stability, permanency, and child safety. (Human Services)
24. Monitor and evaluate the implementation of SB 7 (83R), including agency preparations for the statewide rollout of STAR+PLUS. (Human Services)
25. Former foster youth have the benefit of free tuition and fees if they enroll in higher education, yet very few take advantage of this opportunity. Consider new strategies to support these youth and make recommendations to enroll and retain more foster youth in higher education. (Higher Education and Human Services)

26. Monitor the effects of the Affordable Care Act on the availability and affordability of private health insurance coverage in Texas and on the health insurance market. (Insurance)
27. Evaluate options to expand transparency in the health care marketplace and facilitate informed consumer choice. Monitor the implementation of prior legislation to encourage transparency and adequacy of health care provider networks. Review prior legislative attempts to achieve greater transparency and the effectiveness of regulatory efforts to minimize the negative impacts on consumers related to out-of-network service disputes. (Insurance)
28. Assess the prevalence of nonmedical prescription drug use in the state (including opioid analgesics, stimulants, tranquilizers, and sedatives). Identify adverse health impacts. Recommend strategies to curb emerging substance abuse trends among children, pregnant women, and adults, as well as to reduce health care costs and mortality. (Public Health)
29. Identify strategies to support the efficient exchange of electronic health information with Texas Health and Human Services enterprise agencies. Examine legal and technical issues around the accessibility of information held in registries maintained by state agencies to authorized health care providers. Identify issues related to health information exchange and providers' liability, as well as concerns related to transitioning patient data in cases where a provider selects a new electronic health record vendor. (Public Health)
30. Monitor transition of the state's immunization registry to a new system. Determine whether the registry can be better utilized to prevent and/or respond to communicable disease outbreaks, including pertussis. Identify potential factors contributing to the rise in the number of pertussis cases and strategies to prevent future outbreaks. (Public Health)
31. Examine county authority to utilize tax increment financing and transportation reinvestment zones to fund transportation projects. (Transportation)