



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

LSG Floor Report for Postponed Business – Tuesday, April 21, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 822 By Rep. Sheets	Relating to increasing the punishment for the offense of fraudulent or fictitious military record.	Defense & Veterans' Affairs	HB 822 increases the penalty from a Class C misdemeanor to a Class A misdemeanor for offenders that fraudulently claim military service, aligning Texas law with federal law. This bill will only apply to those who seek economic gain for falsifying service. Those who simply wear the uniform, such as a Halloween costume, are exempt. Stolen Valor not only demeans the military members who have sacrificed so much, it also falsely uses the compassion of business owners and citizens wishing to honor military service.	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
HB 2903 By Rep. Davis, S.	Relating to training requirements for certain child-care workers.	Human Services	<p>Many working parents use child-care facilities as their primary choice of day-care for children under five years old. Children from birth to five years of age experience significant cognitive development, becoming familiar with their sensory, motor, language and behavioral skills. Therefore, it is extremely important to set high standards for child-care workers so that they can best assist and support children in their experiential learning.</p> <p>HB 2903 requires new minimum training for an employee, director, or operator of a day-care center, group day-care home or registered family home, with no previous training or less than two years of employment experience in a regulated child-care facility. The new training required is as follows: at least 16 hours of initial training before the employee is given responsibility for a group of children, 32 hours of the initial training no later than the 90th day after the employee's first day of employment, and 48 hours of initial training that must be completed no later than the first anniversary of the first day of employment. Additionally, employees working in a day-care center or group day-care are required to complete 24 hours of training, 6 hours of which must be completed in teacher-child interaction, each subsequent year.</p>	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 2813 By Rep. King, K., et al.	Relating to health benefit plan coverage for ovarian cancer screening.	Insurance	Ovarian cancer currently has a 78% death rate, with 64% (14,000) of women dying the same year they are diagnosed. Ovarian cancer is considered the "silent killer" as symptoms can often be attributed to other causes, and women do not undergo regular screening. Most cases are above stage 3 when discovered, making treatment difficult. HB 2813 requires that the expense of CA 125 blood tests, and a subsequent ultrasound if warranted, be covered under health benefit plans. The CA 125 blood test is the current method for detecting ovarian cancer, and costs an average of \$80. Similar cancers, such as prostate, breast, and cervical cancers, currently have annual testing coverage. Early detection is key to treatment and increasing life expectancy. This bill will enable women to take more control of their health, and will help to spare family members from watching their loved ones succumb to this horrible disease.	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org

LSG Floor Report For Major State Calendar – Tuesday, April 21, 2015

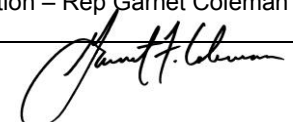
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<p>HB 2510 By Rep. Price, et al.</p>	<p>Relating to the continuation and functions of the Department of State Health Services, the provision of health services in this state, and the regulation of certain health-related occupations and activities.</p>	<p>Human Services</p>	<p>The Sunset Advisory Commission reviewed all health and human service agencies during the interim and concluded that a mass consolidation of the agencies should be enacted. Currently, the Department of State Health Services (DSHS) is set to abolish September 1, 2015. HB 2510 contains the recommendations Sunset made should DSHS not be consolidated with the other health agencies. The Sunset recommendations, although significant, do not offer any concerns and the provisions suggested are intended to ensure efficiency and best practices. This bill would allow the diverse clientele of DSHS to significantly benefit from quality services. Below are the statutory provisions that will occur in the 12 articles if DSHS remains separate.</p> <p>Discontinuation of regulatory programs. The 10 regulatory programs that will be discontinued are as follows: bottled and vended water, certified food handler certification providers, contact lens dispensers, dyslexia therapists and practitioners, opticians, personal emergency response systems, bedding, indoor air quality in state buildings, rendering, and tanning bed facilities.</p> <p>Transfer of 12 licensing programs to Texas Department of Licensing and Regulation (TDLR). The transfer will be conducted in two phases, one by August 31, 2017 and the other by August 31, 2019. The first phase of transfers are as follows: athletic trainers, dieticians, fitters and dispensers of hearing instruments, midwives, orthotists and prosthetists, and speech-language pathologists and audiologists. The second phase of transfers are as follows: code enforcement officers, laser hair removal, mold assessors and remediators, offender education providers, and sanitarians.</p> <p>Transfer of 4 licensing programs to the Texas Medical Board. The transfer of the following programs will occur by August 31, 2017: respiratory care practitioners, medical radiologic technologists, medical physicists, and perfusionists.</p> <p>Requires best practices for state-funded behavioral health programs. Assessments, screenings, and referral services for mental health and substance abuse services will be consolidated. A comprehensive evaluation is required to improve the state’s behavioral health contracting and performance measures. Lastly, barriers that exist in the community-based behavioral health treatment facilities will be eliminated through new regulations. Requiring best practices allows behavioral health programs to sufficiently serve vulnerable populations seeking effective treatment.</p> <p>Address inefficient use of mental health hospital beds. Local mental health and behavioral health authorities will be a part of a new process that allocates state mental health hospital beds based on regions. This process is intended to incentivize efficient and appropriate use of state resources. Additionally, to address the inefficient use of hospital beds trainings and a resource guide will be developed. This will be used to assist the judiciary in ordering patients to seek affordable treatment within the community. Creating structure in use of mental health hospital beds ensures that patients will be able to access mental health services at a state hospital, without potentially being turned away because capacity has reached a maximum.</p> <p>Improves and strengthens public health functions. DSHS will be required to set goals and create an action plan to achieve the goals for Texas’ public health system; develop a comprehensive inventory of all state and local health departments, district, and authority programs and services; and improve audits of local registrars and require identity verification to access vital statistics. By making improvements to strengthen public health services, clients will be able to receive quality care to address their health needs.</p> <p>Continues Texas Health Care Information Collection. This program is continued to ensure access to public health data and to reduce burdens of reporting on small providers.</p> <p>Combats fraud in the EMS industry. To address the fraud that has occurred in the EMS industry, new guidelines are established for better EMS regulation, such as creating appropriate licensing and business standards for providers to function properly.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><u>LSG Floor Report For General State Calendar – Tuesday, April 21, 2015</u></p>				

<p>HB 21 Rep. Kacal, et al.</p>	<p>Relating to authorizing patients with certain terminal illnesses to access certain investigational drugs, biological products, and devices that are in clinical trials.</p>	<p>Public Health</p>	<p>HB 21 permits doctors to prescribe investigational or experimental drugs, devices, or biological products to patients with terminal illnesses without fear of reprisal. Those with terminal illnesses may elect to try experimental drugs at their doctor’s advice, and must give informed consent, acknowledging the potential risks of taking the medication. It must be shown that FDA approved treatments are unlikely to produce improvement and the patient is likely to die without life-sustaining procedures. This gives patients who otherwise would die the opportunity to pursue experimental treatments not yet approved by the FDA.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 2493 By Rep. Parker, et al.</p>	<p>Relating to the self-directed and semi-independent status of the State Securities Board; authorizing fees.</p>	<p>Investments & Financial Services</p>	<p>The State Securities Board regulates the securities industry in Texas by registering securities offered or sold in Texas and overseeing the firms and individuals selling securities or providing investment advice to Texans. During the interim, opinion was given by the securities industry to the Legislature to make significant changes, including establishing the Board to function as a self-directed, semi-independent (SDSI) agency. Currently, there are eight state agencies that conduct themselves as SDSI. Allowing the Board to function as a SDSI agency will allow immediate changes be made, such as the high turnover rate that occurred between 2011-2013. Under SDSI the Board will have flexibility to obtain adequate levels of funding necessary to maintain an appropriate salary structure and career ladder for many of its complex, qualified professional positions, such as financial examiners and attorneys. HB 2493 allows the State Securities Board to be self-directed and semi-independent, in which statutory changes will be made to implement the SDSI status.</p>	<p>Will of the House Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 2702 By Rep. Pickett, et al.</p>	<p>Relating to an alternative composition of a board of directors of a regional mobility authority.</p>	<p>Transportation</p>	<p>A regional mobility authority (RMA) is a political subdivision established by a county or counties for the purpose of financing, constructing, operating and maintaining transportation projects. RMAs can enter into public-private partnerships to meet the transportation demands and funding challenges of an area, largely through the use of toll financing. RMAs were first established in part to keep debt tangential to a county’s or municipality’s books and to support primacy at a local level in the development of projects. However, RMAs have amassed growing public distrust due to “toll fatigue” and due to what some might describe as their development of profligate projects.</p> <p>HB 2702 seeks to strengthen an RMA’s accountability to taxpayers by addressing its governance. It allows for an alternative composition of an RMA board if approved by two-thirds vote of the members of each of the commissioners courts involved with the RMA. The alternative board would be comprised of county commissioners appointed by the commissioners courts and would be presided over by a board-elected county commissioner instead of a governor appointee.</p> <p>HB 2702 allows for a local elected official to direct the board of an RMA, providing for greater accountability to the public. However, with the way that the bill is drafted, on its surface it exempts the new board from all applicable statutes regarding ethical conduct, nepotism, and conflicts of interest, from regulation of the director’s compensation and removal, and from filing a financial statement with the Ethics Commission. While the director may be held to these same standards as an elected official, it might be advisable not to provide for these exemptions in statute to explicitly articulate that the county commissioner must also abide by these standards in their capacity as RMA board director. This will ensure that the measure fosters greater transparency and helps to restore public trust as intended.</p>	<p>Will of the House Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 941 By Rep. Hernandez</p>	<p>Relating to the creation of DNA records for the DNA database system</p>	<p>Corrections</p>	<p>HB 941 mandates that those convicted of enticement of a child submit DNA test results to be added to the DNA database. This will provide data to prevent future, potentially more severe sexual offenses. It also mandates DNA samples collected solely to add to the registry will be destroyed after the test results are added, thereby reducing costs. HB 941 will help protect the public by providing more accurate DNA databases by including those who prey on children.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

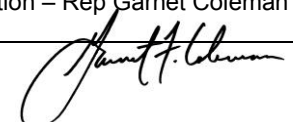
<p>HB 655 By Rep. Larson, et al.</p>	<p>Relating to the storage and recovery of water in aquifers; authorizing fees and surcharges; adding provisions subject to a criminal penalty.</p>	<p>Natural Resources</p>	<p>Recent droughts and growing demand for water have inspired lawmakers to look outside the box for new and efficient ways to manage our dwindling water supply. Aquifer Storage & Recovery (ASR) is a technology that reduces the effect of evaporation by injecting surface water underground to be stored in an aquifer formation until it is needed to meet peak needs or emergency conditions. HB 655 stipulates rules for placement of wells, technical standards, reporting and registration requirements, usage guidelines, & fee restrictions. Under these rules, water owners cannot take out more water than they put in. While all parties seem to agree on the need for more ASRs, there is disagreement about whose jurisdiction the ASR wells should be under. HB 655 puts the ASRs under TCEQ rule, which provides consistency and stability throughout the state, and some opponents would like it to be under Groundwater Conservation Districts because they have a better understanding of the local concerns that may affect their particular region. While the locus of authority may be contentious, the need for alternative solutions for water conservation cannot be understated. HB 655 would be a large step in the right direction towards making sure that we have enough water for Texas families.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 445 By Rep. Raney, et al.</p>	<p>Relating to providing notice of the availability of paid leave for military service to public officers and employees.</p>	<p>Defense & Veterans' Affairs</p>	<p>HB 445 requires an employer to provide written notice of the number of paid leave workdays available to an employee who is a member of the Texas military forces, Federal Reserve forces, or federal search and rescue teams. Service members are given paid leave each fiscal year to fulfill annual training requirements or to engage in certain duties. However, there is often confusion as to the amount of paid leave, as an employer is not expressly required to provide written notice of accumulated paid leave. A better understanding of the available time service members have to fulfill their duties will lead to less confusion and allow for better planning on behalf of both the employer and the individual.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 369 By Rep. Villalba</p>	<p>Relating to designating May 24 as Lung Cancer Awareness Day.</p>	<p>Culture, Recreation & Tourism</p>	<p>HB 369 designates May 24th as Lung Cancer Awareness Day. Lung cancer accounts for roughly 13% of new cancer diagnoses, and has a 75% mortality rate. Creating a Lung Cancer Awareness Day will help to promote awareness of the disease, including: the statistical risks of developing the disease, prevalence, behaviors that increase risk of development; increase participation in screening for early diagnosis; treatment options; and effective behaviors that may reduce the risk of developing the disease, including smoking.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 806 By Rep. Lozano</p>	<p>Relating to proof of eligibility for an exemption from ad valorem taxation of the residence homestead of a person.</p>	<p>Ways & Means</p>	<p>Currently, in order to receive a homestead tax exemption, law states that homeowners need to submit a driver's license or state-issued personal identification certificate unless in the address confidentiality program, or living in a facility that provides health or aging services. The Amish community has religious beliefs that do not allow them to take pictures and many Amish homeowners in Texas are therefore unable to receive the tax credit. HB 806 includes "sincerely held religious belief" as a reason that an applicant would not be able to provide a driver's license, as long as the applicant's homestead is the property they are claiming the exemption on. HB 806 would prevent this unintentional systemic religious discrimination against the Amish community.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 994 By Rep. Anchia, et al.</p>	<p>Relating to the exemption from ad valorem taxation of property used to collect, process, and deliver landfill-generated gas.</p>	<p>Ways & Means</p>	<p>In the 83rd session, legislation was passed allowing temporary property tax exemption for Texas projects to help control pollution in the form of methane and natural gas emitted from landfills. These projects install membranes over the landfills and insert straws to extract methane for transportation and sale. HB 994 encourages continued projects by making the tax exemptions permanent. Some members may be concerned that this process subverts the TCEQ process or that these ventures may be undertaken without the additional tax incentive, however, these endeavors take a waste product and turn it into a revenue stream. In Dallas, it provided \$3,000,000 in revenue.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 946 By Rep. Workman, et al.</p>	<p>Relating to painting and marking requirements for certain meteorological evaluation towers; creating an offense.</p>	<p>Agriculture & Livestock</p>	<p>HB 946 will positively contribute to the safety of low altitude pilots by requiring meteorological towers between 50 and 200 feet tall to be marked and painted in accordance with FAA standards. These meteorological towers are almost invisible to pilots and can be constructed in a matter of hours. Currently, towers below 200 feet in height are not required to be marked and have contributed to the deaths of several pilots. Under the bill, noncompliance in regards to marking the towers will result in a Class C misdemeanor for the owner, operator, or constructor. Should noncompliance result in the death or injury to a pilot, the penalty increases to a Class B misdemeanor. Unmarked towers are a danger to all low altitude pilots, including emergency medical service helicopters, Border Patrol agents, and firefighters. These servicemen and women provide necessary and valuable services and are often engaged in multiple tasks</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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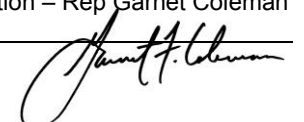
			at once. Watching for these nearly invisible towers distracts them from the critical duties they are asked to perform.	
HB 1038 By Rep. Sheffield, et al.	Relating to premium payment assistance for insurance coverage for hemophilia medical treatment.	Insurance	Blood clotting diseases, such as hemophilia, are dangerous conditions that prevent the blood from clotting effectively during an injury, and places the individual in danger of internal bleeding and exsanguination. There are an estimated 1,700 individuals in Texas suffering from this genetic disorder, which is usually diagnosed at birth, and has no cure. Currently, the Hemophilia Assistance Program helps fund treatment and medication costs for eight eligible patients in the amount of \$25,000 per year, per patient. The average treatment and medication cost per year for hemophilia patients is upwards of \$250,000. HB 1038 changes the allocation of funds from aiding in treatment costs to covering the cost of health insurance, either privately or through the marketplace. It is estimated that the change in spending can cover 25 individuals instead of the 8 currently being served. There is no change in the amount of funding (\$200,000), only how the funds are spent. Program eligibility is based on age and level of impoverishment. By insuring individuals, instead of covering only about 10% of their medical costs, they will be able to receive better treatment.	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
HB 275 By Rep. Ashby, et al.	Relating to the exemption from ad valorem taxation of farm products.	Agriculture & Livestock	There is currently some ambiguity in the Agriculture Code as to whether or not eggs are included in the definition of poultry. This adds eggs to the definition, exempting them from ad valorem taxes.	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
HB 3823 By Rep. Price, et al.	Relating to rate-setting and data collection processes under the program of all-inclusive care for the elderly.	Human Services	<p>The Program for All-Inclusive Care for the Elderly (PACE) is a Medicare and Medicaid benefits program available in El Paso, Amarillo, and Lubbock. It provides community-based services for the health needs of individuals 55 and older. This program covers all services provided by Medicare and Medicaid as well as any additional services such as adult day-care, therapy, and home health and personal care that are necessary for the recipient's health improvement. The PACE payment system functions as a capitated program setting fixed rates per enrollee and covering increased costs of services if the patient's health status declines.</p> <p>On the contrary, STAR+PLUS Medicaid managed care functions by adjusting rates based on an individual's current health status. PACE has shown to offer better results as a less expensive alternative to similar programs. PACE is considered to be a cost-effective alternative to the state, but the state is not allowed to compare Medicaid client outcomes between and across PACE and STAR+PLUS.</p> <p>HB 3823 directs HHSC and DADS to modify data collection for both programs to allow for a comparison of Medicaid client outcomes across these models. Additionally, the bill modifies the rate-setting process for PACE to ensure rates are adequate and reasonable and that the PACE program is cost-neutral compared to the cost to serve a comparable population in STAR+PLUS. Additionally, the bill</p>	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 2007 By Rep. Raymond	Relating to fees imposed by a county for licensing a junkyard or automotive wrecking and salvage yard.	County Affairs	Current law only allows certain counties to be able to only recover a fee of \$25 for the issuance or renewal of a license for a junkyard, automotive wrecking and salvage yard. This has become a problem for populous counties of the state because the \$25 fee is an inadequate amount for administrative purposes. HB 2007 allows a county ordinance to impose a fee that is necessary for the enforcement and administrative purposes of a county with a population of less than one million. This measure will continue to place the burden on the operator of the junkyard, automotive wrecking and salvage yard to ensure the compliance of the screening requirements and location of the yard provided by this chapter.	Favorable Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org

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<p>HB 3308 By Rep. Flynn</p>	<p>Relating to the regulation of state trust companies.</p>	<p>Investments & Financial Services</p>	<p>HB 3308 is cleanup legislation for the Texas Department of Banking on revising, examining and clarifying capital restrictions and exemptions for trust companies of specified size and services. Specifically, it revises the minimum for restricted capital for a state trust company as it relates to being issued a charter, companies that have below the minimum amount, and investment securities. To be considered insolvent, state trust companies must have equity capital that is 50% or less of the required restricted capital of the company. HB 3308 addresses the commissioner’s authority to examine state trust companies and grant private state trust companies exemptions. Provisions for the certifications for exempt private state trust companies and the continuation of exemptions for companies where control is sold or transferred and previous exempt trust companies are specified.</p>	<p><u>Will of the House</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 2066 By Rep. Oliveira</p>	<p>Relating to the rescission of nonjudicial foreclosure sales.</p>	<p>Business & Industry</p>	<p>A defaulting borrower’s property may go into foreclosure if he fails to make mortgage or property tax payments or if he fails to keep insurance on his property. Currently, when a property goes into non-judicial foreclosure there is no method for rescinding a foreclosure sale should some condition of the sale not be satisfied or in the event that some other circumstance renders a sale voidable. As a result, these sales can prompt ensuing litigation. HB 2066 provides a mechanism by which a non-judicial foreclosure may be rescinded if any of the following conditions are present:</p> <ol style="list-style-type: none"> 1) Statutory requirements or terms of the sale were not met, 2) The default prompting the foreclosure was rectified before the sale, or the debtor and mortgage servicer enter into a written agreement before the sale to void the sale if the debtor can cure default, 3) Court-supervised estate administration was still pending at the time of sale, or 4) Sanctions imposed by a bankruptcy filing were in effect at the time of sale. <p>The bill establishes procedures to cancel the foreclosure sale within 15 days after the date of the sale and refund money to the purchaser. Affected parties convey that this timeframe provides ample space for one of the aforementioned conditions to surface but is still brief enough to put the property back in the stream of commerce with reduced losses and without further depression of the property value. HB 2066 limits the damages a purchaser may receive to the purchase price plus 10% interest and prohibits any party from filing a civil suit challenging the revocation after 90 days.</p> <p>HB 2066 provides a clear process for voiding a foreclosure sale to help reduce disputes that currently spin out into lengthy litigation. The debtor, who has already gone into default, can avoid the further expense of a civil lawsuit if the foreclosure sale is wrongful. The bill also allows creditors and third parties to get the property back on the market if need be and reduce their losses under the unfortunate circumstances.</p>	<p><u>Favorable</u> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 2113 By Rep. Murphy, et al.</p>	<p>Relating to the taxation of fireworks.</p>	<p>Ways & Means</p>	<p>The comptroller’s office has reviewed its procedures and identified 5 areas where the cost of processing the taxes is more than the revenue received from the tax collection. HB 2113 repeals the tax for fireworks, but substitutes an equal amount of money from GR to maintain the funding for the fire departments that the tax was set up to support. These simplifications would allow the fire departments to receive payments quarterly instead of annually which would be advantageous to their budget planning.</p>	<p><u>Favorable</u> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 2360 By Rep. Thompson, S.</p>	<p>Relating to the licensing and regulation of certain residential educational child-care facilities serving victims of human trafficking.</p>	<p>Human Services</p>	<p>Victims of human trafficking experience unique physical, mental, and emotional trauma that require comprehensive rehabilitation and residential services to address their medical, psychological, behavioral, and spiritual needs. Minimum guidelines were created in order to ensure quality services for this population; however, some residential educational facilities such as boarding schools are not required to follow them. HB 2360 ensures that this extremely vulnerable population receives the minimum quality care that is essential for their recovery.</p> <p>HB 2360 requires an accredited residential educational facility to be subject to child-care facility or child-placing agency licensing</p>	<p><u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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			requirements. It also sets DFPS rules and minimum standards for general residential operations that provide services to victims of human trafficking if the facility has more than 25 children, or 30%, who are victims of human trafficking at the facility. Finally, it provides specialized services for students who are victims of human trafficking.	
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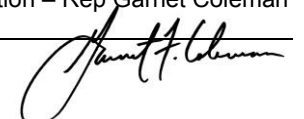
LSG Floor Report For General State Calendar Senate Bills – Tuesday, April 21, 2015

SB 149 By Sen. Seliger, et al. SP: Rep. Huberty	Relating to alternative methods for satisfying certain public high school graduation requirements, including the use of individual graduation committees.	Public Education	<p>Twenty percent of the seniors intended to graduate this school year are expected to face a challenge in obtaining their high school diploma because they have not passed 1 of the 5 end-of-course assessments. A student who is unable to obtain a diploma has increased chances of falling into poverty, limiting socioeconomic mobility and overall success in life. High school is not only an opportunity for students to master curriculum and assessments but also a time for students explore their interests and talents. If a student shows classroom success he or she should be eligible, among other qualifications, to receive a diploma. Current law requires that a student must pass all end-of-course assessments and is given the opportunity to retake the assessment up to three times. If the student is unable to pass the assessment by the third retake then the student will not receive their diploma or graduate. SB 149 pursues an alternative route to grant a high school diploma, considering the student holistically, rather than defining a student based on his or her successful completion of an end-of-course assessment.</p> <p>In such instance that an 11th or 12th grade student has failed an end-of-course assessment, a graduation committee must be created to consider if the student is qualified to graduate, regardless of his or her failing score on the assessment. The graduation committee will be comprised of the principal, teacher of the course in which the assessment was distributed, the school counselor of the student, and the parent or guardian of the student (however, a designated advocate or the student him or herself can represent the position of the parent of guardian). For possible graduation and diploma attainment, a student must successfully complete the foundation high school program curriculum, but they may also considered eligible if they meet the specialized qualifying criteria set by the graduation committee.</p>	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
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LSG Floor Report for HB 2510—Tuesday, April 21, 2015

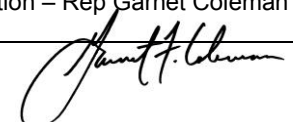
Author	Analysis
Rep. Bell 840920	This amendment expands the medical professionals required to file and report certain birth and death certificate information to include advanced practice registered nurses (APRNs) and physician assistants (PAs). Additionally, authority to complete a medical certification is extended to APRNs and PAs.
Rep. Bonnen, G. 840931	This amendment clarifies that professionals trained to perform radiologic procedures under the advisory board’s certification program are “medical radiologic technicians,” rather than the broader “individuals, registered nurses, and physician assistants.” It also mandates that the TX Physician Assistant Board develop rules to govern physician assistants performing radiologic procedures, including training guidelines.

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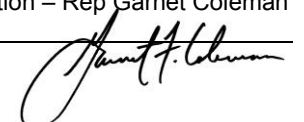
<p>Rep. Coleman 840864</p>	<p>This amendment would move the licensing and regulation of Speech Language Pathologists and Audiologists to the Physical Therapy and Occupational Therapy Executive Council instead of the Texas Department of Licensing and Regulation.</p>
<p>Rep. Davis, Y. 840938</p>	<p>This amendment adds a procedural provision allowing the executive commissioner to adopt any rules necessary in overseeing the transfer of any unused drugs, originally paid under Medicaid and sent to a hospital, nursing facility, or other health facility, to be transferred back to the department and redistributed to public hospitals. The hospital, nursing facility, or other health facility will not be compensated by the department for this transfer. This amendment allows that the executive commissioner may create rules governing which medications are applicable for the transfer program as well as how the transfers shall take place.</p>
<p>Rep. Dutton 840925</p>	<p>This amendment adds that the executive commissioner of the Department of Health shall appoint a licensed dental director for the oral health improvement services program.</p>
<p>Rep. Howard 840924</p>	<p>This amendment adds language recognizing new licenses and modifications to existing licenses when reviewing community-based crisis and treatment centers, as recommended by the Sunset Commission.</p>
<p>Rep. Kuempel 840923</p>	<p>This amendment stipulates that offender programs and offender program training be offered in an online format, in addition to the in-class programs currently in place</p>
<p>Rep. Phillips 840927</p>	<p>This amendment adds “breeder deer” to the Health and Safety Code as defined by the Texas Parks & Wildlife Department. The processing and sale standards for venison from breeder deer will match the processing and sale of other exotic animals.</p>
<p>Rep. Price 840932</p>	<p>This amendment specifies the certification program of the Texas Board of Medical Radiologic Technology, such as minimum standards for issuing, renewing, suspending, canceling, or revoking a certificate. The amendment also lists the administrative procedure for contested case hearing and allows referrals for certain professionals to be made by the Board for specified reasons.</p>

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<p>Rep. Price 840933</p>	<p>This amendment changes the requirements for the Orthotists and Prosthetists Advisory Board, increasing the number of licensed orthotists and licensed prosthetists to be included as advisory board members, and removing the requirement of having two representative members. The amendment specifies requirements for the Presiding Officer and the rules and duties of the Board.</p>
<p>Rep. Price 840934</p>	<p>This amendment strikes the entire section on food safety, including national accreditation standards and certification requirements for food workers, including food handlers and food managers in commercial food settings. The amendment strikes a section repealing state standards on food safety for food handlers and food managers. This would essentially take out sections related to national standards and replace them with state standards, allowing HHSC to retain accreditation powers for the food service industry.</p>
<p>Rep. Price 840935</p>	<p>This amendment clarifies local mental health authorities (LMHAs) and local behavioral health authorities' (LBHAs) ability to contract out for some services. It allows LMHAs and LBHAs to subcontract with a substance abuse or behavioral health provider to provide services related to substance use. It also states that services shall be administered in an integrative model where possible, providing continuity of care for clients.</p>
<p>Rep. Price 840936</p>	<p>This amendment provides that stakeholders be considered when reviewing the performance of behavioral health service provider contracts. It updates the section on regional allocation of mental health beds in state facilities, improving methodology for allocation as well as including a more comprehensive review strategy to best serve Texans by collecting data on what kinds of patients are being seen in inpatient facilities and how best to serve patients in the least restrictive environments, such as community-based care. An advisory panel shall submit a report to the executive commissioner and relevant government authorities on even-numbered years, which will include updates about utilization and methodology based on data, as well as other relevant specified information.</p>
<p>Rep. Price 840937</p>	<p>This amendment adds provisions to the rules regarding health-related programs. The professions of: athletic trainers; dietitians; hearing instrument fitters and dispensers; midwives; orthotists and prosthetists; and speech-language pathologists and audiologists will be regulated. The commission is required to follow specified rules regarding the specified professions.</p>
<p>Rep. Price 840926</p>	<p>This amendment adds a section to relating to the Texas Department of Licensing and Regulation. It mandates the TDLR shall submit a report annually regarding the status of implementation of a transition plan from DSHS to the TDLR. The report will be submitted to the Sunset Advisory Commission; relevant specified government authorities; and relevant advisory boards and committees established to advise the TDLR. The report will be an update on the transfer, including any anticipated delays and appointments made.</p>
<p>Rep. Schaefer 840929</p>	<p>This amendment requires a physician who performs abortions to submit a monthly report on each abortion performed to DSHS. The department shall create and maintain a secure reporting system for these reports, and the reports shall not include any identifying data related to the patient, but may include identifying data on the physician. Information obtained from these reports shall only be released in the following four scenarios: they are for statistical purposes and no identifying information is released; with consent of each person identified in the release; the information being released is to be used by a medical personnel, appropriate state agencies, or courts; or to appropriate state licensing boards enforcing laws. Failure of a physician to comply with reporting requirements shall be a punishable Class A misdemeanor. DSHS shall publish aggregate data monthly with no identifying information on abortions performed in the state using the physician reports.</p>

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<p>Rep. Schaefer 840928</p>	<p>This amendment will prohibit a physician from performing an abortion because the fetus has a severe and irreversible abnormality, as identified by diagnostic procedures. This restricts when a physician may perform an abortion by removing one of the current reasons an abortion may be performed.</p>
<p>Rep. Zerwas 840921</p>	<p>This amendment strikes the repeal of the entire chapter related to licensed dyslexia practitioners and licensed dyslexia therapists and instead repeals only 10 sections of that chapter, primarily related to certain disciplinary procedures. The amendment also clarifies several sections of this chapter, including definitions; the purpose of the advisory committee; the correct designated professional to enact certain authority; standards of ethical practice; and license denial and disciplinary procedures.</p>
<p>Rep. Zerwas 840922</p>	<p>This amendment updates the wording on a sign to be posted at tanning facilities, increasing readability for consumers and encouraging consumers to contact their local health authority or law enforcement authority if it is suspected that the facility operator has violated state law.</p>
<p>Rep. Zerwas 840930</p>	<p>This amendment extends the date that the commissioner of DSHS is required to submit a report related to a jail-based competency restoration pilot program two years. If such a pilot program is developed and implemented, the report will include data collected during the pilot and the commissioner's outcome evaluation no later than December 1, 2018. This will give the legislature important information regarding the success or failure as well as where improvements can be made related to the program.</p>

