



### Higher Education Legislative Tracking Chart

Bill #	Author/Sponsor	Companion	Tag	Summary	Status/Date
HB 51	Branch		Relating to funding and other measures to support emerging public research universities in developing and maintaining programs of the highest tier.	<p>As Finally Passed: Adds Section 51.358: Long-Term Strategic Plan for Research University or Emerging Research University to the Education Code. Requires the governing board of each higher ed institution designated as a research university by the HECB's accountability system to submit a detailed, long-term strategic plan with which it intends to achieve recognition as a research university or enhance its reputation as a research university. HECB has rule-making authority to implement.</p> <p>Adds Sections 55.1771 and 55.17721 to the Education Code. Board of regents at Texas A&amp;M System/UT System are allowed to acquire/purchase/improve/etc. buildings/structures/facilities/etc. for TAMU Galveston/UTMB Galveston to assist in recovering from any damage or other impact caused by Hurricane Ike by issuing bonds up to \$5 million for TAMU Galveston and up to \$150 million for UTMB. Transfer of funds to UTMB to reimburse Board for debt service is subject to prior approval of LBB. Adds Section 61.0596: University Funding For Excellence in Specific Programs and Fields: Incentive Grants to the Education Code. Requires HECB to administer section to encourage/assist general academic teaching institutions other than public state colleges, which are not research universities or emerging research universities to develop and maintain programs of the highest national rank/recognition. Allows Board to award incentive grants to those demonstrating commitment to success. Grants must be used for faculty recruitment or faculty support. Only one degree program at a time may be designated for consideration for new funding. Board is to establish benchmarks.</p> <p>Adds Section 61.0904: Review of Institutional Groupings to the Education Code. Requires HECB to conduct a review of institutional groupings at least once every 10 years. Amends heading to Chapter 62 of the Education Code to read: Constitutional and Statutory Funds to Support Institutions of Higher Education. Amends Section 62.021 of the Education Code to establish different monetary allotments to designated institutions. Subsection applies only to fiscal years ending August 31, 2009 and August 31, 2010 for technical corrections to ensure an equitable distribution of the funds. Establishes allotments by formula. Allows UNT at Dallas to participate in Article VII Constitutional funds as soon as it operates a general</p>	6-03-09 Sent to the Governor



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			<p>academic teaching institution.</p> <p>Adds Subchapter C: Research University Development Fund to the Education Code. Defines eligible institution. Purpose of subchapter is to provide funding to research universities and emerging research universities for recruitment/retention of highly qualified faculty /enhancement of research productivity. Requires HECB to annually distribute funds appropriated by the legislature among eligible institutions based on teh average amount of total research funds expended by each institution annually during the three most recent state fiscal years. Establishes rates as: 1. at least \$1 million for every \$10 million of the average annual amount of research funds expended if average amount is \$50 million or more and 2. at least \$500,000 for every \$10 million of the average annual amount of research funds expended by the institution if average amount is less than \$50 million. Total amount of research funds expended by an institution is the amount of those funds reported to HECB for that fiscal year. If funds available are not sufficient to provide the amount specified, the available amount is to be distributed proportionate to the total amount to which each institution is otherwise entitled. HECB is to adopt rules to administer. Adds Subchapter D: Performance Incentive Funding. Defines: at-risk student, critical field, eligible institution and general academic teaching institution. HECB is required each year to distribute performance incentive funds appropriated by Legislature: 1. 50% among eligible institutions proportionate to increase in average number of degrees awarded annually in two most recent years from those awarded annually in two fiscal years immediately preceding those two years under weight system, and 2. remaining 50% in proportion to the average number of degrees awarded in the three most recent fiscal years using weights. Establishes point system. HECB is to adopt rules to administer. Adds Subchapter F: Texas Research Incentive Program (TRIP). Defines: eligible institution, gift, institution of higher education, and program. HECB is to develop and administer TRIP to help eligible institutions leverage private gifts to enhance research productivity and faculty recruitment. Eligible institutions receiving gifts/endowments from private sources to enhance research activities can receive a matching grant at designated rates. Specifies what eligible institutions are not entitled to matching grants for.</p> <p>Adds Subchapter G to Chapter 62 of the Education Code: National Research University Fund to provide a dedicated/independent/equitable fource of funding to enable emerging research universities to achieve national prominence as major research universities. Fund is one</p>	
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				<p>outside the state treasury in custody of the Comptroller. Fund consists of any amounts transferred/appropriated to the fund. General academic teaching institutions are eligible to receive distributions each year if: 1. it is designated as an emerging research university; 2. in each of the two preceding years, the institution expended at least \$45 million in restricted research funds; and 3. the institution satisfies at least four of specified criteria. HECB is required to prescribe standard accounting methods. HECB must certify to the legislature information related to criteria. UT Austin and TAMU are ineligible to receive money. Legislature is to establish formula for distributing funds. Money can be used only for the support/maintenance of educational/general activities promoting increased research capacity: faculty support/salaries, equipment/library materials, graduate stipends, and supporting research. Money received and not used can be held and used in subsequent years. Repealer Language.</p> <p>Establishes a select interim committee to study the feasibility of collecting data and maintaining a searchable electronic database, search engine or other collection of data relating to specialized technology research projects developed/conducted at public universities or research facilities in Texas. Study must consider: 1. entities to administer data collection; 2. legislative oversight required; 3. compliance with state and federal law on public information access; and 4. information data collection should include: energy research, biomedical science research including stem cells or human cloning, nanotechnology research, and other specialized technology research. For each project listed, a brief description of the project, entity involved and additional comments are required by HECB as well as other relevant information. Establishes components of committee: UT Austin, TAMU, Texas Tech University, U of H, UNT, UT Arlington, UT Dallas, UT El Paso, UT San Antonio, and number of members appointed by HECB. Reporting requirement by December 1, 2010.</p> <p>Requires HECB to study and make recommendations regarding definitions and categories of research expenditures in determining eligibility for a distributions from the Research University Development Fund. Reporting requirement.</p>	
HB 58	Branch		Relating to the eligibility of private or independent institutions of	Amends Section 142.001(3) of the Education Code to change the definition of "eligible institutions" to allow private or independent institutions of higher education to be eligible to participate in the Advanced Research Program.	6-01-09 Sent to the Governor



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			higher education to participate in the advanced research program administered by the Higher Education Coordinating Board.		
HB 65	Lucio	SB 98 by Lucio	Relating to establishing a health science center and medical school in South Texas	<p>Adds Subchapter N: The University of Texas Health Science Center-South Texas to Chapter 74 of the Education Code. Creates the University of Texas Health Science Center-South Texas under the University of Texas System consisting of a possible medical school, health and health-related degree programs, and related programs/facilities as the boards deems appropriate. Allows the medical school, if established, to be a component of the health science center and as a component institution under the UT System. Upon 2/3 vote of the Leg for constitutional amendment, allows for participation in Available University Fund.</p> <p>Allows the Board of Regents to convert the RAHC into the UTHSC South Texas. References in law to the RAHC applies to the UT HSC South Texas to the extent applicable. Transfers benefit of permanent endowment fund use by RAHC to UTHSC South Texas.</p>	See SB 98
HB 1218	Donna Howard	SB 1768 by Watson	Relating to a pilot project to exchange secure electronic information between the Health and Human Services	<p>As Finally Passed: Adds Subchapter V: Health Information Exchange Systems to Chapter 531 of the Government Code. Defines: electronic health record, electronic medical record, health information exchange system, and local or regional health information exchange. Requires Commission to establish a pilot project in one urban area of state to determine feasibility/costs/benefits of exchanging secure electronic health information between the commission and local/regional health information exchanges. Project must include at least two local/regional health info exchanges. Local/regional health info exchanges must have a secure functioning health info database exchanging information between hospitals/clinics/physicians' offices/other health care providers which are not owned by single</p>	6-03-09 Sent to the Governor



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			<p>Commission and local or regional health information exchanges.</p>	<p>entities/included in single operational unit/network. Information must include health information for patients receiving state/federal health services. Requires HHSC to: 1. establish specific written guidelines, and 2. ensure compliance with all state/federal laws/rules related to the transmission of health information. HHSC and the participating exchanges are required at a minimum to exchange patient medication history under pilot project. Section 531.903 (SB 7's section 4) Requires HHSC to develop an electronic health information exchange system to improve quality/safety/efficiency of services under child health plan and Medicaid. Requires: confidentiality of patient info protected, appropriate IT systems that are interoperable, and system and external IT systems are interoperable. Health info exchange system must be developed with Medicaid IT Architecture initiative. Establishes an Electronic Health Information Exchange System Advisory Committee of between 12 and 16 members, including at least one representative of pharmaceutical industry to advise on development and implementation of electronic health info exchange system. Requires collaboration with Texas Health Services Authority. Establishes that stage one is to: 1. develop and establish an e-health record for each person under Medicaid; 2. submission of complete encounter data for each month with all paid and processed claims from; and 3. develop and coordinate electronic prescribing tools for use under child health plan and Medicaid. Establishes stage two includes expansion of system by providing e-health record for each child in child health plan, include lab results information in an e-health record, improve data-gathering capabilities for e-health record, use evidence-based technology to create a unique health profile, and continue to enhance the e-health record created. Establishes in stage three to expand system by developing evidence-based benchmarking tools, and include state agencies and additional providers. Requires HHSC to develop strategies to encourage provider use. Initial reporting required to Senate HHS, House Human Services and House Public Health by January 1, 2011, and subsequent reporting by January 1, 2013. Adds Section 62.060: Health Information Technology Standards to the Health and Safety Code and Section 32.073 to the Human Resources Code to require any health IT used in child health plan program or medical assistance program to conform to national standards. Section 531.912: Quality of Care Health Information Exchange with Certain Nursing Facilities. Requires executive commissioner by rule if feasible to establish a quality of care health information exchange with nursing facilities to improve care and services to medical assistance recipients. Establishes performance measures. Section 531.913: Hospital Health Information Exchange. Requires executive commissioner to adopt rules for identifying potentially preventable readmissions of Medicaid recipients and exchange data with hospitals</p>	
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				on present-on-admission indicators. Adds Section 62.060 to the Health and Safety Code and Section 32.073 to the Human Resources Code: Health Information Technology Standards. HHSC must ensure any health IT used conforms to federal law standards. HHSC must begin implementing by the 60th day after the effective date of act. By January 1, 2011, HHSC must: 1. assess benefits to state/patients/health care providers of exchanging secure health information with local/regional exchanges; 2. include an ROI analysis; and 3. report findings to the Senate and House standing committees with jurisdiction. Requires agency to request waivers if necessary.	
HB 1358	Keffer	SB 895 by Nelson	Relating to the Cancer Prevention and Research Institute.	As Substituted: Amends Section 102.001(3) of the Health and Safety Code to change the definition of the "research and prevention programs committee" to mean the CPRIT Scientific Research and Prevention Programs committee appointed by the ED. Adds Section 102.056 to allow the Institute to supplement the ED and senior staff's salaries from gifts, grants, donations, or appropriations. Amends Section 102.103 to make the Oversight Committees' terms staggered six-year terms. Adds Section 102.108 to give Oversight Committee rule making authority to administer chapter. Amends Section 102.151 of the Health and Safety Code to require the ED, with simple majority approval from Oversight Committee, to appoint members of the scientific research and prevention programs committee, experts in the field of cancer research/prevention. Allows scientific research and prevention programs committee to receive an honorarium. Changes the heading of Subchapter D to: Committees. Amends Section 102.152 to provide that research and prevention programs committee members serve terms defined by ED. Amends Section 102.153 of the Health and Safety Code to state that members of the university advisory committee or any ad hoc advisory committee appointed serve.... Amends Subchapter D of Chapter 102 of the Health and Safety Code to state the Cancer Prevention and Research Institute of Texas University Advisory Committee is composed of: 1. 2 members appointed by Chancellor of UT System to represent: UT Southwestern Medical Center at Dallas, UTMB Galveston, UTHSC Houston, UTHSC San Antonio, UTHSC Tyler, or UT MD Anderson Cancer Center; 2. One member appointed by Chancellor of Texas A&M to represent the A&M HSC or teaching hospital of the A&M HSC College of Medicine; 3. One member appointed by Chancellor of Texas Tech to represent Texas Tech HSC; 4. One member appointed by Chancellor of University of Houston System; 5. One member appointed by the Chancellor of Texas State University System; 6. One member appointed by Chancellor of University of North Texas System; 7. One member appointed by the president of Baylor	5-26-09 Sent to the Governor



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				<p>College of Medicine; 9. Members appointed at ED's discretion by chancellors of other institutions. University advisory committee is to advise regarding role of institutions of higher education in cancer research. Requires Oversight Committee to create an ad hoc committee of experts to address childhood cancers. Allows Oversight Committee to create ad hoc committees as necessary of experts to advise. Requires member of research and prevention programs committee, university advisory committee, or ad hoc committee to disclose in writing to ED, interests in matter/substantial financial interest in entities with direct interests in matter. Requires member to recuse themselves from deliberations/action/committee decisions. Defines a substantial financial interest. Amends Section 102.203 of the Health and Safety Code to prohibit persons receiving money for cancer research to spend more than five% on indirect costs. Prohibits no more than 5% of money to be used for facility purchase/construction/remodel/renovation. Amends Section 102.251 of the Health and Safety Code. Requires oversight committee to issue rules regarding procedure for awarding grants including: 1. research and prevention committee is to review applications and make recommendations to ED regarding award of cancer research grants by prioritized list; and 2. Ed is required to submit to Oversight Committee list of applications prioritized which gives priority to listed items in section. Amends Section 102.252 of the Health and Safety Code to require the Oversight Committee to follow funding recommendations of the ED in the order submitted unless 2/3 vote overrides. Amends Section 102.260 to require as a condition of a grant, that recipients submit to regular inspection reviews by institute staff. ED is required to determine grant review process under section and is allowed to terminate grants not meeting contractual obligations. Requires annual reporting by ED to Oversight Committee on progress/merits of each funded program. Adds Section 102.262: Public Information to Chapter 102 of the Health and Safety Code. Provides that certain information is public and can be disclosed: 1. applicant name and address; 2. amount of funding applied for; 3. type of cancer to be addressed; and 4. other information designated. Repeals Section 102.151(a) of the Health and Safety Code (Scientific Research and Prevention Programs Committee).</p>	
HB 1583	Flynn	SB 1003 by Deuell	Relating to the abolishment of the Office of State-Federal Relations as an	<p>Amends Section 751.002 of the Government Code to move the Office of State-Federal Relations to a program within the Governor's Office. Establishes sunset date of September 1, 2015. Adds duties to the office: notify Gov, Lt. Gov, and Speaker of federal activities relevant to state and inform Texas Congressional delegation of state activities; conduct frequent phone calls with above regarding state-federal relations/programs; respond</p>	See SB 1003



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			independent agency and the transfer of the duties and functions of that agency to the office of the governor.	to requests for information; and coordinate with LBB. Adds Section 751.015 to the Government Code to require written procedures for contracts with federal-level government relations consultants including: contract management; competitive procurement; assigning value to consultant's ability; determining prospective consultant's ability; and method to verify consultant's other clients do not create a conflict of interest. Establishes requirements to be included in contracts between office and federal-level government relations consultant. Requires agencies/political subdivisions of state to report to the office any contract with a federal-level government relations consultant. Contains repealer language.	
HB 1671	Crownover	SB 1330 by Nelson	Relating to mutual aid agreements for newborn screening laboratory services.	Amends Chapter 12 of the Health and Safety Code to allow DSHS to enter into mutual aid agreements to provide/receive newborn screening laboratory services to/from another state in the event of unexpected interruptions of service.	09-01-09 G Earliest effective date
HB 1672	Crownover	SB 2421 by Deuell	Relating to the confidentiality of newborn screening information.	As Substituted: Amends Chapter 33 of the Health and Safety Code to require DSHS to develop a disclosure statement to parent/managing conservator/guardian of a newborn child subjected to screening tests that: 1. department or lab may retain genetic material to conduct newborn screening tests; and 2. the parent/guardian can limit use of genetic material through a written statement. Requires physician attending delivery of newborn child to provide parent with written disclosure statement. Requires genetic material to be destroyed within 60 days of receipt of written prohibition of use. Amends Chapter 33 of the Health and Safety Code to add Section 33.017: Confidentiality stating reports/records/information from newborn screening information to be confidential. Can only be disclosed for diagnosis/follow-up authorized; with consent; authorized by court order; to ME for autopsy; or to public health programs of DSHS for research purposes and consistent with HIPAA. De-identified information can be released without consent for statistical purposes; for purposes related to certification/quality assurance; purposes to review/improve screening; research; or quality assurance of equipment and supplies.	5-27-09 Earliest Effective Date
HB 1967	Aycock	SB 629 by West	Relating to the statutory limitation	As Substituted: Amends Section 87.841 of the Education Code to strike the language regarding enrollment stipulations for TAMU-San Antonio to act as a general academic teaching institution. Amends Section 105.501 of the Education Code to of the Education	See SB 629



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			imposed on certain university systems to issue revenue bonds to fund facilities at certain institutions of higher education.	Code to strike the language regarding enrollment stipulations for UNT-Dallas to act as a general academic teaching institution. Repeals Sections 55.1751 (d) and (e) and 55.1755 (d) of the Education Code regarding enrollment benchmarks for Texas A&M University - Central Texas, San Antonio, and UNT - Dallas Campus.	
HB 2154	Edwards		Relating to the physician education loan repayment program.	<p>As Finally Passed: Amends Section 61.532 of the Education Code to establish eligibility to receive repayment assistance, a physician must: 1. apply to HECB; 2. be licensed to practice medicine at time of application; 3. have completed one, two, three, or four consecutive years of practice in a health professional shortage area designated by DSHS; and 4. provide health care services to medical assistance recipients or child health plan enrollees.</p> <p>Amends Section 61.533 of the Education Code to limit repayment assistance to four years.</p> <p>Amends Section 61.535 of the Education Code to require HECB to deliver repayment in lump sum payable to both physician and lender or directly to the lender. Amends Section 61.537 of the Education Code to remove some of the rules on maximum amounts of repayment assistance.</p> <p>Amends Section 61.538 of Education Code to allow physician to receive repayment assistance not to exceed: 1. for the first year, \$25,000; 2. for the second year, \$35,000; 3. for the third year, \$45,000; and 4. for the fourth year, \$55,000. Total amount of repayment assistance may not exceed \$160,000.</p> <p>Adds Section 61.5391: Physician Education Loan Repayment Program Account to the Education Code. Account is composed of gifts/grants, earnings on principal, and other amounts deposited. Amends Section 155.0211 of the Tax Code to increase the tax rate of tobacco products and allocate the increased proceeds to the physician education loan repayment program. Amends Section 155.2415 of the Tax Code to allocate collection of</p>	6-03-09 Sent to the Governor



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				taxes: 1. proceeds equal to amount if taxes were imposed at 40% of manufacturer's list price would be is deposited to property tax relief fund; 2. amount of proceeds equal to amount if tax rate was 35.213% of manufacturer's list price is credited to general revenue fund; and 3. 100% of remaining proceeds are deposited to credit of physician education loan repayment program account. Repealer language. HECB is required to adopt rules to administer.	
HB 2381	Kolkhorst	SB 704 by Nelson	Relating to disclosure of the prices charged to state agencies in connection with pharmacy benefit manager services.	Adds Subchapter H: Purchase of Pharmacy Benefit Manager Services to Chapter 2158: State Purchasing of the Government Code. State agencies on request of other state agencies are required to disclose information relating to the amounts charge by PBMs for services and other requested pricing information. Does not require an agency to disclose information it is specifically prohibited from disclosing under contract made before Sept. 1, 2009. Prevents contracts made after Sept. 1, 2009, from containing provisions prohibiting disclosure of information on amounts charged by PBMs for services or for disclosing other pricing information. Information is confidential and may not be disclosed outside of agency.	See SB 704
HB 4075	Chavez	SB 201 by Shapleigh	Relating to the participation of the medical school at Texas Tech University Health Sciences Center at El Paso in the Joint Admission Medical Program.	Amends Section 51.821(4) to the Education Code to add the medical school at Texas Tech University Health Science Center at El Paso as an eligible participant in the joint admission medical program.	05-05-09 H Reported from committee as substituted House Higher Education  <b><u>*Amended to SB 1728 which passed</u></b>
HB 4290	Smithee	SB 2200 by Duncan	Relating to retrospective utilization review and	As Finally Passed: Amends Section 1305 (Workers' Compensation Health Care Networks) of the Insurance Code to redefine an adverse determination. Adds experimental or investigational nature to the definition of an independent review. Eliminates retrospective review throughout section. Amends Section 4201 (Utilization Review and Independent	6-03-09 Sent to the Governor



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			utilization review to determine the experimental or investigational nature of a health care service.	Review) of the Insurance Code to add experimental or investigational to the definition of adverse determination. Redefines utilization review to include retrospective review and systems for prospective/concurrent/retrospective review determining experimental or investigational nature of services. Requires utilization review agents to provide notice of an adverse determination under retrospective utilization review in writing to provider and patient within 30 days of receipt of claim. Period can be extended by up to 15 days under certain circumstances. Utilization review agents must comply with independent review organization determination regarding experimental/investigational nature of services. Amends the Labor Code (General Provisions under Workers' Compensation) to redefine retrospective review as the utilization review process of medical necessity and reasonableness of care provided to injured employee. Amends Section 408 (Workers' Compensation Benefits) of the Labor Code to eliminate retrospective review. Repealer language. Repealer language.	
HB 4329	Strama	SB 1600 by Watson	Relating to the creation of a database to track specialized technology research projects conducted by public universities, public university research facilities, and other state institutions.	As Substituted: Creates a select interim committee to study the feasibility of collecting data and maintaining a searchable electronic database or search engine relating to specialized technology research projects that are developed or conducted at public universities in TX or research facilities. Study must consider: 1. appropriate entities to administer the data; 2. extent of legislative oversight required for entity maintaining data collection; 3. compliance with state and federal laws regarding access to public information; and 4. information data collection would include: a. list of projects involving energy research, biomedical science research, nanotechnology research, and other specialized technology research; b. brief description of each project including field/involved entity/additional comments; and c. other relevant information and available resources. Study is required to examine current state of access to public information about specialized technology research projects and assess best methods facilitating access. Study is required to consider what information should be accessible by general public and what should have restricted access. Committee is comprised of one representative from: UT Austin, Texas A&M, Texas Tech, University of Houston, University of North Texas, UT Arlington, UT Dallas, UTEP, UT San Antonio, and a number of members appointed by HECB as considered appropriate. On committee request, general academic institution or research facility is required to provide board information necessary to perform duties. Committee is to report findings and include recommendations by December 1, 2010. Committee is abolished January 16, 2011.	05-14-09 H Set on the House Calendar  <b><u>*Senate version amended by Senate onto HB 51 which passed</u></b>
HB 4616	Branch	SB 9 by Zaffirini	Relating to financial	Amends Chapter 61 of the Education Code to require HECB to review institutional groupings	03-26-09 H Introduced and



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			support and incentives for the development of national research universities and high-quality comprehensive regional universities and a review of the institutional groupings.	under accountability system every ten years. Adds Subchapter F: Texas Competitive Knowledge Funding to Chapter 61 of the Education Code. Defines: at-risk student, critical field, and eligible institution. Purpose of subchapter is to fund research universities/emerging research universities for recruitment/retention of faculty and enhancement of research. Establishes a funding formula of: 1. 80% to eligible institutions based on average total research funds expended annually in three previous years at rates of \$1.5 million for every \$10 million expended for averages of \$150 million or more, \$1 million for every \$10 million for averages between \$50 million and \$150 million, and \$500,000 for every \$10 million for averages less than \$50 million; 2. 10% to eligible institutions proportionate to average degrees awarded in previous 2 years; and 3. 10% to eligible institutions proportionate to increase in degrees awarded annually in previous 2 years. Establishes a point system for critical vs. non-critical fields and at-risk vs. not at-risk students. Requires annual reporting of eligible institutions to HECB of specific information. Establishes Texas Centers of Excellence Performance Funding to provide funding to create focus on strong undergraduate curricula. Requires HECB to distribute appropriations from legislature: 40% to eligible institutions in proportion to points awarded; 40% to eligible institutions in proportion to %age increase in average annual degrees awarded; and 20% to eligible institutions as provided by a formula developed by HECB based on merit scholars and top 10%. Requires annual reporting by eligible institutions to HECB. Creates the Texas Research Incentive Program (TRIP). Requires HECB to provide matching funds to assist institutions in leveraging private gifts for enhancing research productivity and faculty recruitment. Matching grants are awarded as follows: 1. 50% of amount of gifts and endowments if total is between \$100,000 and \$999,999; 2. 75% of amount of gifts and endowments if total is between \$1 million and \$1,999,999; or 3. 100 percent of amount of gifts and endowments if total is \$2 million or more. Excludes matching for in-kind gifts, pledged but not received gifts, undergraduate scholarship/grant gifts, or portions of gifts/endowments received from a single source in excess of \$10 million. Prohibits matching grants received from being used as a basis to reduce appropriations to an institution. HECB has rule-making authority.	referred to committee on House Higher Education  <b><u>*Portions amended onto HB 51 which passed</u></b>
SB 9	Zaffirini	HB 4616 by Branch	Relating to financial support and	Amends Chapter 61 of the Education Code to require HECB to review institutional groupings under accountability system every ten years. Adds Subchapter F: Texas Competitive Knowledge Funding to Chapter 61 of the Education Code. Defines: at-risk student, critical	05-04-09 H Referred to House



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			incentives for the development of national research universities and high-quality comprehensive regional universities and a review of the institutional groupings.	field, and eligible institution. Purpose of subchapter is to fund research universities/emerging research universities for recruitment/retention of faculty and enhancement of research. Establishes a funding formula of: 1. 80% to eligible institutions based on average total research funds expended annually in three previous years at rates of \$1.5 million for every \$10 million expended for averages of \$150 million or more, \$1 million for every \$10 million for averages between \$50 million and \$150 million, and \$500,000 for every \$10 million for averages less than \$50 million; 2. 10% to eligible institutions proportionate to average degrees awarded in previous 2 years; and 3. 10% to eligible institutions proportionate to increase in degrees awarded annually in previous 2 years. Establishes a point system for critical vs. non-critical fields and at-risk vs. not at-risk students. Requires annual reporting of eligible institutions to HECB of specific information. Establishes Texas Centers of Excellence Performance Funding to provide funding to create focus on strong undergraduate curricula. Requires HECB to distribute appropriations from legislature: 40% to eligible institutions in proportion to points awarded; 40% to eligible institutions in proportion to %age increase in average annual degrees awarded; and 20% to eligible institutions as provided by a formula developed by HECB based on merit scholars and top 10%. Requires annual reporting by eligible institutions to HECB. Creates the Texas Research Incentive Program (TRIP). Requires HECB to provide matching funds to assist institutions in leveraging private gifts for enhancing research productivity and faculty recruitment. Matching grants are awarded as follows: 1. 50% of amount of gifts and endowments if total is between \$100,000 and \$999,999; 2. 75% of amount of gifts and endowments if total is between \$1 million and \$1,999,999; or 3. 100 percent of amount of gifts and endowments if total is \$2 million or more. Excludes matching for in-kind gifts, pledged but not received gifts, undergraduate scholarship/grant gifts, or portions of gifts/endowments received from a single source in excess of \$10 million. Prohibits matching grants received from being used as a basis to reduce appropriations to an institution. HECB has rule-making authority.	Committee on House Higher Education  <b><u>*Portions amended onto HB 51 which passed</u></b>
SB 44	Zaffirini		Relating to the participation of undergraduate students in funding awarded under	As Finally Passed: Amends Sections 142.002 and 142.003 of the Education Code to allow students to be eligible for advanced research program funds. Amends Section 142.003 of the Education Code to include in guidelines which must be developed by HECB: as a condition of receiving an award, an eligible institution must use a portion of the award to support basic research conducted by graduates/undergraduates if institution is a medical and dental unit or undergraduate students if the institution is any other type.	6-03-09 Sent to the Governor



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			the advanced research program.		
SB 98	Lucio	HB 65 by Lucio III	Relating to establishing a health science center and medical school in South Texas	<p>Adds Subchapter N: The University of Texas Health Science Center-South Texas to Chapter 74 of the Education Code. Creates the University of Texas Health Science Center-South Texas under the University of Texas System consisting of a possible medical school, health and health-related degree programs, and related programs/facilities as the boards deems appropriate. Allows the medical school, if established, to be a component of the health science center and as a component institution under the UT System. Upon 2/3 vote of the Leg for constitutional amendment, allows for participation in Available University Fund.</p> <p>Allows the Board of Regents to convert the RAHC into the UTHSC South Texas. References in law to the RAHC applies to the UT HSC South Texas to the extent applicable. Transfers benefit of permanent endowment fund use by RAHC to UTHSC South Texas.</p>	05-22-09 G Sent to the Governor
SB 201	Shapleigh	HB 4075 by Chavez	Relating to the participation of the medical school at Texas Tech University Health Sciences Center at El Paso in the Joint Admission Medical Program	Amends Section 51.821(4) to the Education Code to add the medical school at Texas Tech University Health Science Center at El Paso as an eligible participant in the joint admission medical program.	05-23-09 H Set on the House Calendar  <b><u>*Amended to SB 1728 which passed</u></b>
SB 629	West	HB 1967 by Aycock	Relating to the statutory limitation imposed on	As Substituted: Amends Section 87.841 of the Education Code to strike the language regarding enrollment stipulations for TAMU-San Antonio to act as a general academic teaching institution. Amends Section 105.501 of the Education Code to of the Education	05-23-09 G Earliest effective date



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			certain university systems to issue revenue bonds to fund facilities at certain institutions of higher education.	Code to strike the language regarding enrollment stipulations for UNT-Dallas to act as a general academic teaching institution. Repeals Sections 55.1751 (d) and (e) and 55.1755 (d) of the Education Code regarding enrollment benchmarks for Texas A&M University - Central Texas, San Antonio, and UNT - Dallas Campus.	
SB 704	Nelson	HB 2381 by Kolkhorst	Relating to disclosure of prices charged to state agencies in connection with pharmacy benefit manager services.	As Substituted and Amended on House Floor: Adds Subchapter H: Purchase of Pharmacy Benefit Manager Services to Chapter 2158: State Purchasing of the Government Code. State agencies are prohibited from disclosing information received to persons outside of the agency. Does not require an agency to disclose information it is specifically prohibited from disclosing under contract made before Sept. 1, 2009. Prevents contracts made after Sept. 1, 2009, from containing provisions prohibiting disclosure of information on amounts charged by PBMs for services or for disclosing other pricing information. Information is confidential and may not be disclosed outside of agency. Requires TDI to conduct a study to evaluate the ways in which PBMS use prescription drug information to manage therapeutic drug interchange programs and other substitution recommendations. Establishes criteria board of trustees/system is required to include in selecting a PBM services contract. Requires enrollees to be allowed to fill a multiple-month supply of prescription drugs from their community retail pharmacy in same manner as mail order if reimbursement is the same.	6-03-09 Sent to the Governor
SB 819	Wendy Davis		Relating to the vaccination against bacterial meningitis of certain first-time students at public institutions of higher	As Substituted: Amends Chapter 51 of the Education Code to add Section 51.9192: Bacterial Meningitis Vaccination Required for Certain Students. Section applies to first-time students of higher education institutions who reside in/is approved to reside in on-campus dorm/student housing facility. Before registering for any course, a student or parent/guardian must provide a certificate signed by a health practitioner as proof of vaccination against bacterial meningitis. Allows opt-out for 1. physician affidavit that vaccine would be injurious to health of student or 2. vaccination conflicts with reasons of conscience.  Requires HECB to adopt rules for administering.	5/22/09 Reported favorably from House Higher Education  <b><u>*Amended onto HB 4189 which passed</u></b>



### Higher Education Legislative Tracking Chart

SB 895	Nelson	HB 1358 by Keffer	education. Relating to the Cancer and Prevention Research Institute	<p>Amends Section 102.001(3) of the Health and Safety Code to change the definition of the "research and prevention programs committee" to mean the CPRIT Scientific Research and Prevention Programs committee appointed by the ED. Amends Section 102.151 of the Health and Safety Code to require the ED to appoint members of the scientific research and prevention programs committee, experts in the field of cancer research/prevention. Changes the heading of Subchapter D to: Committees. Amends Section 102.153 of the Health and Safety Code to state that members of the university advisory committee or any ad hoc advisory committee appointed serve.... Amends Subchapter D of Chapter 102 of the Health and Safety Code to state the Cancer Prevention and Research Institute of Texas University Advisory Committee is composed of: 1. 2 members appointed by governor representing private/independent higher ed institutions leading in cancer research; 2. 2 members appointed by UT chancellor to represent UT Southwestern/UTMB/UTHSC Houston/UTHSC San Antonio/UTHSC Tyler, or UTMD Anderson Cancer Center; 3. one member appointed by Texas A&amp;M chancellor to represent Texas A&amp;M HSC or teaching hospital for Texas A&amp;M HSC College of Medicine; 4. one member appointed by chancellor of Texas Tech; 5. one member appointed by chancellor of U of H; 6. one member appointed by Texas State; and 7. one member appointed by chancellor of UNT. University advisory committee is to advise regarding role of institutions of higher education in cancer research. Allows Oversight Committee to create ad hoc committees as necessary of experts to advise. Requires member of research and prevention programs committee, university advisory committee, or ad hoc committee to disclose in writing to ED, interests in matter/substantial financial interest in entities with direct interests in matter. Requires member to recuse themselves from deliberations/action/committee decisions. Defines a substantial financial interest. Amends Section 102.203 of the Health and Safety Code to prohibit persons receiving money for cancer research to spend more than five% on indirect costs. Prohibits no more than 5% of money to be used for facility purchase/construction/remodel/renovation. Amends Section 102.251 of the Health and Safety Code. Requires oversight committee to issue rules regarding procedure for awarding grants including: 1. research and prevention committee is to review applications and make recommendations to ED regarding award of cancer research grants by prioritized list; and 2. Ed is required to submit to Oversight Committee list of applications prioritized which gives priority to listed items in section. Amends Section 102.252 of the Health and Safety Code to require the Oversight Committee to follow funding</p>	See HB 1358
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### Higher Education Legislative Tracking Chart

				recommendations of the ED in the order submitted unless 2/3 vote overrides. Adds Section 102.262: Public Information to Chapter 102 of the Health and Safety Code. Provides that certain information is public and can be disclosed: 1. applicant name and address; 2. amount of funding applied for; 3. type of cancer to be addressed; and 4. other information designated. Repeals Section 102.151(a) of the Health and Safety Code (Scientific Research and Prevention Programs Committee).	
SB 1003	Deuell	HB 1583 by Flynn	Relating to the abolishment of the Office of State-Federal Relations as an independent agency and the transfer of the duties and functions of that agency to the office of the governor.	As Finally Passed: Amends Section 751.002 of the Government Code to attach administratively and fund the Office of State-Federal Relations out of the Governor's Office. Establishes sunset date of September 1, 2015. Adds duties to the office: notify Gov, Lt. Gov, and Speaker of federal activities relevant to state and inform Texas Congressional delegation of state activities; conduct frequent phone calls with above regarding state-federal relations/programs; respond to requests for information; coordinate with LBB; and report to and send appropriate representatives to appear before standing committees over intergovernmental affairs. Adds Section 751.015 to the Government Code to require written procedures for contracts with federal-level government relations consultants including: contract management; competitive procurement; assigning value to consultant's ability; determining prospective consultant's ability; and method to verify consultant's other clients do not create a conflict of interest. Establishes requirements to be included in contracts between office and federal-level government relations consultant. Requires agencies/political subdivisions of state to report to the office any contract with a federal-level government relations consultant. Contains repealer language.	6-03-09 Sent to the Governor
SB 1330	Nelson	HB 1671 by Crownover	Relating to mutual aid agreements for newborn screening laboratory services.	Amends Chapter 12 of the Health and Safety Code to allow DSHS to enter into mutual aid agreements to provide/receive newborn screening laboratory services to/from another state in the event of unexpected interruptions of service.	See HB 1671
SB 1560	Duncan		Relating to the national research university fund.	Amends Chapter 61 of the Education Code to add Section 61.0904: Institutional Groupings. Requires HECB to establish institutional groupings for institutions of higher education including groupings for: research universities, emerging research universities, doctoral universities, comprehensive universities, and masters universities. Review each biennium. Adds Subchapter D: National Research University Fund to Chapter 62 of the Education Code	05-07-09 H Referred to House Committee on House Higher



### Higher Education Legislative Tracking Chart

				to provide dedicated, independent, and equitable source of funds to help institutions achieve national prominence. Establishes the fund in the custody of the Comptroller outside state treasury. Comptroller is to administer. Establishes eligibility to receive distributions from the fund: if institution is an emerging research university; during two previous years the institution reported at least \$45 million in research expenditures; aggregate value of endowment is at least \$500 million; and the institution satisfies at least two of criteria listed. Criteria: at least 200 doctor of philosophy degrees awarded in previous 2 years; freshman class for 2 years demonstrated high achievement; is an American Research Library or Phi Beta Kappa chapter; and faculty was of high quality. Once an institution becomes eligible, they remain so. Prohibits UT Austin, Texas A&M University, and Prairie View A&M from receiving funds under chapter. Allocations are based on formula adopted by legislature. Money can only be used for support/maintenance of activities promoting increased research including faculty support/salaries; purchasing equipment; paying graduate stipends; and support research. Allows recipients to roll over funds if not expended in fiscal year. Repeals Deposit of \$50 million and Higher Education Fund.	Education  <b><u>*Portions Amended to HB 51 which passed.</u></b>
SB 1600	Watson	HB 4329 by Strama	Relating to the creation of a database to track specialized technology research projects conducted by public universities, public university research facilities, and other state institutions.	As Substituted: Creates a select interim committee to study the feasibility of collecting data and maintaining a searchable electronic database or search engine relating to specialized technology research projects that are developed or conducted at public universities in TX or research facilities. Study must consider: 1. appropriate entities to administer the data; 2. extent of legislative oversight required for entity maintaining data collection; 3. compliance with state and federal laws regarding access to public information; and 4. information data collection would include: a. list of projects involving energy research, biomedical science research, research that involves human cloning, the process through which any stem cells and stem cell lines were derived, nanotechnology research, and other specialized technology research; b. brief description of each project including field/involved entity/additional comments; and c. other relevant information and available resources. Study is required to examine current state of access to public information about specialized technology research projects and assess best methods facilitating access. Study is required to consider what information should be accessible by general public and what should have restricted access. Committee is comprised of one representative from: UT Austin, Texas A&M, Texas Tech, University of Houston, University of North Texas, UT Arlington, UT Dallas, UTEP, UT San Antonio, and a number of members appointed by HECB as considered appropriate. On committee request, general academic institution or research facility is required to provide	5/23/09 Set on the House Calendar  <b><u>*Amended onto HB 51 which passed</u></b>



### Higher Education Legislative Tracking Chart

				board information necessary to perform duties. Committee is to report findings and include recommendations by December 1, 2010. Committee is abolished January 16, 2011.	
SB 1666	Estes		Relating to the establishment of the Bioenergy Policy Council and the Bioenergy Research Committee to encourage the development of cellulosic biofuels in the state.	Amends Chapter 51 of the Education Code to require higher ed institutions that receive money to conduct research, analysis, survey, or other work to report work and include: statement of receipt of payment, identity of payor, and amount of payment.	05-12-09 H Reported from committee as substituted House Agriculture and Livestock  <b><u>*Amended to SB 1016 which passed</u></b>
SB 1728	West		Relating to the administration of and eligibility for the Joint Admissions Medical Program.	As Finally Passed: Eliminates the eligibility requirement that an undergraduate student must have enrolled at a higher ed institution by the fall semester following high school graduation. Repealer language. Amends Section 51.821 of the Education Code to include in the definition of participating medical school, the medical school at Texas Tech University Health Sciences Center in El Paso. Repealer language.	6-01-09 Sent to the Governor
SB 1768	Watson	HB 1218 by Donna Howard	Relating to a pilot project to exchange secure electronic information between the Health and Human	Adds Section 531.02416: Electronic Health Information Exchange Pilot Project to the Government Code. Requires HHSC to establish a pilot project in at least one urban area to determine feasibility/costs/benefits of exchanging secure electronic health info between HHSC and local/regional health exchanges. Project must include at least two local/regional health info exchanges. Local/regional health info exchanges must have a secure functioning health info database exchanging information between hospitals/clinics/physicians' offices/other health care providers which are not owned by single entities/included in single operational unit/network. Information must include health information for patients receiving state/federal health services. Requires HHSC to: 1. establish specific written guidelines, and	See HB 1218



### Higher Education Legislative Tracking Chart

			Services Commission and local or regional health information exchanges.	2. ensure compliance with all state/federal laws/rules related to the transmission of health information. HHSC and the participating exchanges are required at a minimum to exchange patient medication history under pilot project. HHSC must begin implementing by the 60th day after the effective date of act. By December 1, 2010, HHSC must: 1. assess benefits to state/patients/health care providers of exchanging secure health information with local/regional exchanges; 2. include an ROI analysis; and 3. report findings to the Senate and House standing committees with jurisdiction. Requires agency to request waivers if necessary.	
SB 2200	Duncan	HB 4920 by Smithee	Relating to retrospective utilization review and utilization review to determine the experimental or investigational nature of a health care service.	Amends Section 1305 (Workers' Compensation Health Care Networks) of the Insurance Code to redefine an adverse determination. Adds experimental or investigational nature to the definition of an independent review. Eliminates retrospective review throughout section. Amends Section 4201 (Utilization Review and Independent Review) of the Insurance Code to add experimental or investigational to the definition of adverse determination. Redefines utilization review to include retrospective review and systems for prospective/concurrent/retrospective review determining experimental or investigational nature of services. Requires utilization review agents to comply with independent review organization determination regarding experimental/investigational nature of services. Amends the Labor Code (General Provisions under Workers' Compensation) to redefine retrospective review as the utilization review process of medical necessity and reasonableness of care provided to injured employee. Amends Section 408 (Workers' Compensation Benefits) of the Labor Code to eliminate retrospective review. Repealer language.	See HB 4290
SB 2421	Deuell	HB 1672 by Crownover	Relating to the confidentiality of newborn screening information.	Amends Chapter 33 of the Health and Safety Code to require all reports/records/information from newborn screening information to be confidential. Can only be disclosed for diagnosis/follow-up authorized; with consent; authorized by court order; to ME for autopsy; or to public health programs of DSHS for research purposes and consistent with HIPAA. De-identified information can be released without consent for statistical purposes; for purposes related to certification/quality assurance; purposes to review/improve screening; research; or quality assurance of equipment and supplies.	See HB 1672
SJR 35	Duncan		Relating to establishing the national research	Constitutional amendment creating a national research university fund to provide dedicated funding to enable emerging research universities to achieve national status. Requires legislature to appropriate money each biennium to fund. Money is to be allocated from fund based on an equitable formula. Repeals Higher Education Fund. Transfers funds from HEF to	05-06-09 H Committee action pending House Higher



### Higher Education Legislative Tracking Chart

			university fund.	National Research University Fund.	Education  <b><u>*Amended to HJR 14 which passed</u></b>
HB 61	Aycock	SB 655 by Fraser	Relating to the statutory limitation imposed on certain university systems to issue revenue bonds to fund facilities at certain institutions of higher education.	Amends Sections 55.1751 (d and e) and 55.1755 (d) of the Education Code to delete the enrollment timeline provisions for Texas A&M University-Central Texas, Texas A&M University-San Antonio, and University of North Texas-Dallas Campus for the issuance of tuition revenue bonds for those facilities.	2/12/09 Referred to House Higher Education
HB 83	Martinez		Relating to establishing a health sciences center and medical school in the Rio Grande Valley	<p>Adds Subchapter N: The University of Texas Health Science Center-Rio Grande Valley to Chapter 74 of the Education Code. Creates the University of Texas Health Science Center-Rio Grande Valley under the University of Texas System consisting of a possible medical school, health and health-related degree programs, and related programs/facilities as the boards deems appropriate. Upon 2/3 vote of the Leg for constitutional amendment, allows for participation in Available University Fund.</p> <p>Allows the Board of Regents to convert the RAHC into the UTHSC Rio Grande Valley. References in law to the RAHC applies to the UT HSC Rio Grande Valley to the extent applicable. Transfers benefit of permanent endowment fund use by RAHC to UTHSC Rio Grande Valley.</p>	03-04-09 H Committee action pending House Higher Education



### Higher Education Legislative Tracking Chart

HB 519	Giddings		Relating to the establishment of a school of pharmacy in the city of Dallas by the University of North Texas System.	Amends Chapter 105, Subchapter J of the Education Code to allow the HECB to establish and operate a school pharmacy in the city of Dallas as a professional school of UNT System. School of Pharmacy is administered as a professional school of the system until after 5 years during which time it is entitled to formula funding, and then the school becomes a professional school of UNT at Dallas.	03-04-09 H Committee action pending House Higher Education
HB 838	Christian	SB 597 by Nichols	Relating to authorizing the issuance of revenue bonds for a molecular science building at Stephen F. Austin State University	Adds Section 55.1778: Stephen F. Austin State University; Additional Bonds to Chapter 55 of the Education Code.  Allows Stephen F. Austin to acquire/purchase/construct/improve/etc. property/structures/roads/etc. for a molecular science building financed with bonds not to exceed \$46 million.	02-23-09 H Introduced and referred to committee on House Higher Education
HB 1395	Farrar		Relating to the offenses of cruelty to livestock animals and cruelty to nonlivestock animals.	Amends Section 42.009 of the Penal Code to state a person commits an offense if they additionally intentionally recklessly: torture an animal, etc., and adds: without legal authority/owner's consent poisons or causes bodily injury to a livestock animal. Deletes the provision excepting cattle, horses, sheep, swine, or goats. Eliminates the exception to prosecution and instead substitutes that it is a defense to prosecution. Amends Section 42.092 of the Penal Code to eliminate the previous definition of animal and replace it with a nonhuman mammal, bird, or captive amphibian or reptile. Term does not include a livestock animal. Again the bill eliminates the exception and inserts a defense to prosecution.	04-07-09 H No action taken in subcommittee ...House Criminal Jurisprudence
HB 1489	Thompson	SB 1000 by Gallegos	Relating to the practice of nursing.	Adds Subchapter I: Hospital Patient Protection to Chapter 241 of the Health and Safety Code. Requires hospitals to maintain organized nursing service: available 24 hours a day, is organized/equipped/staffed to meet hospital's patients' needs, and meets requirements of department. Chief nursing officer directs the hospital's nursing service who reports directly to the senior manager of the hospital. Prohibits hospital from assigning a nurse to a unit/clinical	04-28-09 H Committee action pending House Public Health



### Higher Education Legislative Tracking Chart

				<p>area unless nurse is determined competent under hospital's written guidelines, and has received sufficient training for unit. Requires each hospital to have on duty at all times: 1. sufficient # of direct care registered nurses, and 2. additional nurses/staff required under patient classification system. Chief nursing officer must develop written nurse staffing plan for each shift in each patient care unit. Lists functions an unlicensed nursing staff member is prohibited from performing. Establishes minimum nursing staff levels for each unit. Requires posting of information from the nurse staffing plan at the beginning of each shift in each patient care unit. Requires each hospital to develop/use a patient classification system to determine the number of nurses/unlicensed staff required for each shift in each unit. Requires each hospital to submit its patient classification system to an annual review to determine if the system measures needs of individuals/predicts nurse staff requirements. Requires HHSC/TBN to jointly adopt rules implementing uniform patient classification systems. Creates the Uniform Statewide Patient Classification System Advisory Committee of 35 members appointed jointly by the department and the Texas Board of Nursing, 18 of which must be direct care registered nurses. Amends Section 161.0315 of the Health and Safety Code to prohibit medical peer review committees from conducting peer reviews of direct care registered nurses. Amends Section 241.055 of the Health and Safety Code to establish civil penalties for violations of Subchapter I and for interfering with a nurse's duty and right of patient advocacy. Amends Section 241.056 to allow nurses/others harmed by violations of Subchapter I to file suit to recover damages, court costs, and attorney's fees. Adds Subchapter N: Direct Care Registered Nurses to Chapter 301 of the Occupations Code. Defines direct care registered nurse. Lists specific practices of direct care registered nurses. Allows only direct care registered nurses to perform patient assessments which includes: direct observation of signs/symptoms of illness, reaction to treatment, behavior, and physical condition; interpretation of information obtained from patients; and collection/analysis/synthesis/evaluation of data about a patient. Provides whistle-blower protection for direct care registered nurses. Adds Section 301.356 to the Occupations Code to establish that a nurse has duty/right to act as an advocate for each patient assigned to them.</p> <p>Prohibits discrimination/actions against nurses who exercise duty/right of patient advocacy. Contains repealer language.</p>	
HB 1577	Isett		Relating to the pricing of	<p>Adds Chapter 254: Patient Access to Pricing Information to the Health and Safety Code. Defines facility as one subject to licensing where a health care practitioner practices.</p>	03-02-09 H Introduced and



### Higher Education Legislative Tracking Chart

			certain health care goods and services and to the compensation of certain health insurance agents.	Includes abortion and end stage renal disease facilities but excludes facilities subject to Chapter 324: ambulatory surgical centers, birthing centers, and hospitals. Each facility is required to compile a list of prices charged for each product/service. Must provide copy of list to any requesting patient. Requires facility to provide to patients upon request an itemized billing statement. Requires facilities to refund overpayment by 30 days. Amends Chapter 550 of the Insurance Code to prohibit insurers/affiliates from paying insurance agents compensation for transactions violating disclosure requirements. Amends Chapter 552 of the Insurance Code to state subchapter is not applicable to a patient for which a provider accepts service from Medicaid/Medicare/other federal, state, or local government-sponsored program. Adds Subchapter B: Discounts to Chapter 552 of the Insurance Code to define a health care provider as a licensed individual to practice medicine/pharmacy/chiropractic/nursing/physical/therapy/etc. Subchapter only applies to facilities subject to Chapter 254 (above) or 324 and a health care provider. Allows facilities/health care providers to give discounts to individuals if it is applied to portion of the bill that is the patient's responsibility after facility receives payment from third party payor. Adds Subchapter C: Availability of Pricing Information to require each health care practitioner to compile a list of prices charged for each product/service and provide copy to requesting patients. Requires posting notice of availability of price listing and requires itemized billing.	referred to committee on House Public Health
HB 1700	Laubenberg		Relating to the use of funds awarded by the Cancer Prevention and Research Institute of Texas.	Amends Section 102.203 of the Health and Safety Code to add a statement that money awarded under by the Cancer Prevention and Research Institute of Texas is prohibited from being used for embryonic or fetal stem cell research. Doesn't prevent money from being awarded for adult stem cell research or umbilical cord stem cells.	03-03-09 H Introduced and referred to committee on House Public Health
HB 1875	Truitt		Relating to requiring a health benefit plan for enrollment at certain public	Amends 51.952 of the Education Code to require students enrolled at academic teaching institutions or medical/dental units full-time to provide proof of health benefit plan coverage. Allows institution to directly or through university system provide/sponsor for student a health benefit plan and permits a fee charge for providing plan. Allows for provisional enrollment for a semester to provide time to gain coverage. Requires institutions to adopt	03-25-09 H Committee action pending House Higher Education



### Higher Education Legislative Tracking Chart

			institutions of higher education.	policies/procedures to carry out.	
HB 1876	Chisum	SB 2527 by Hinojosa	Relating to creating the health care access fund to recruit health care providers in health professional shortage areas and to support federally-qualified health centers and to using a tax imposed on certain tobacco products.	Amends Chapter 403 of the Government Code to create the Health Care Access Fund as a special fund in treasury outside of GR. Money in fund is only to: recruit/retain health care providers in shortage areas and support FQHCs. Money in each biennium is appropriated 75% to HECB to repay provider education loans, and 25% to DSHS to fund operational costs of FQHCs. Amends Chapter 61 of the Education Code to add Subchapter FF: Repayment of Certain Health Care Provider Education Loans. Allows HECB to assist in repaying education loans for health care providers who apply and qualify: must be licensed in TX; have completed 1, 2, 3, or 4 consecutive years of practice in a professional shortage area; and provide services to medical assistance recipients or child health plan enrollees. Establishes reasons for ineligibility. Establishes maximum amounts for repayment. Requires HECB and DSHS to enter into an MOU to identify/recruit eligible repayment assistance persons and accept/review applications. Amends Section 155.0211 of the Tax Code to progressively increase the tax per ounce of tobacco products. Deposits revenue attributable to a tax rate of 35.213% of the manufacturer's list price into the general revenue account and the remainder is deposited into the Health Care Access Fund. Contains repealer language: Repayment of Certain Physician Loans, Repayment of Certain Dental Education Loans; Dental Hygienists Student Education Loans; and Rural Physician Assistant Loan Education Reimbursement Program.	04-17-09 H Reported favorably from committee on House Public Health
HB 1955	Coleman	SB 1196 by Gallegos	Relating to administrative and contract provisions applicable to certain nonprofit corporations located in large counties.	Adds Subchapter J: Administrative and Contract Provisions Applicable to Certain Nonprofit Corporations Located in Large Counties. Applies to nonprofit corporations with principal office in counties of 3.3 million or more and that contract with local government corporations. Requires appointments to board of directors to reflect diversity of constituency served. Nonprofit corporation is subject to open records the same as a governmental body. Requires nonprofit corporations to make a reasonable effort to award contracts to historically underutilized businesses.	04-14-09 H Committee action pending House Business and Industry
HB 1993	Anchia	SB 1102 by Watson	Relating to certain energy	Adds Chapter 2311: Energy Security Technologies for Critical Governmental Facilities to	05-21-09 S Committee



### Higher Education Legislative Tracking Chart

			technologies for critical governmental facilities.	Title 10 of the Government Code. Defines a critical governmental facility as a state/political subdivision owned building expected to be continuously occupied, maintain operations for 6,000 hours each year, have peak demand exceeding 500kw, and serve a critical public health function during disaster/emergency...includes hospitals and biological research facilities. Requires evaluation of whether equipping facilities with combined heating/power system would result in energy savings exceeding costs of purchasing/operating/maintaining system over 20 years.	action pending Senate Natural Resources
HB 2294	Gattis		Relating to the establishment of the undiagnosed disease registry.	Adds Chapter 82B: Undiagnosed Disease Registry in Title 2 of the Health and Safety Code. Requires DSHS to maintain an undiagnosed disease registry for those that result in death. Must be a central data bank. May include cases not resulting in death. Requires storage of tissue samples. Requires DSHS to adopt rules, execute contracts, receive data from medical records of cases, compile/publish statistical data, comply with requirements for federal funds, receive gifts/grants, and limit undiagnosed disease reporting to specific geographical areas of state. Requires annual reporting. Requires clinical labs, health care facilities, and physicians to furnish on request data derived from each medical record pertaining to undiagnosed case. Requires information to include patient ID, symptoms, and tests. Allows DSHS to access medical records of identified patients from health care facilities/clinical labs providing screening/therapeutic services or physicians providing treatment. Labs/facilities/physicians failing to furnish data/tissue samples are required to reimburse DSHS for costs of accessing/reporting data. Allows DSHS to assess a late fee. Contains confidentiality provisions that information obtained is confidential and not subject to Open Records or subpoena. Explains when medical/epidemiological information may be released. Provides immunity for liability for furnishing information to: health care facilities/labs, physician/employee of physician, and employee of DSHS.	05-14-09 H Set on the House Calendar
HB 2483	Pickett		Relating to the repeal of the authority for the establishment and administration of the Border	Repeals the Border Health Institute in El Paso.	04-27-09 S Received in the Senate - Referred to Senate International Relations and Trade



### Higher Education Legislative Tracking Chart

			Health Institute in the city of El Paso		
HB 2612	Shelton		Relating to salary supplements and enhancements for qualified professional nursing program faculty members at public junior colleges.	Amends Section 61.96231 of the Education Code to require the Professional Nursing Shortage Reduction Program to give priority to faculty at junior colleges in amounts that achieve parity with salaries of faculty members at general teaching institutions/medical/dental units.	04-29-09 H Committee action pending House Higher Education
HB 2687	Shelton		Relating to a physician residency grant program	Adds Subchapter I-1: Physician Residency Grants to Chapter 61 of the Education Code. Requires HECB to develop and administer a physician residency grant program. Provides grants to support physician residency programs for family practice/pediatrics/psychiatry/internal medicine at health care entities that apply. Grants awarded based on residency program's history of placing in underserved communities and amount of matching funds. Grants can only be used to pay salaries up to \$65,000. Limits to 420 residency positions each year.	04-21-09 H Reported from committee as substituted House Higher Education
HB 2706	Sylvester Turner		Relating to the authority of physicians and chiropractors to form certain entities.	Amends the Business Organizations Code and the Texas Non-Profit Corporation Act to allow licensed physicians and licensed chiropractors to form corporations, partnerships, non-profit corporations, associations, and LLC's that are jointly owned/managed. Entities formed must: 1. carry out research, 2. support medical education through grants, 3. develop capabilities of those studying, 4. deliver health care to public, or 5. instruct public health. Authority of each practitioner is limited to scope of practice.	05-06-09 S Received in the Senate - Referred to Senate Health and Human Services
HB 2909	Marquez		Relating to allowing a governmental	Amends Sections 552.024, 552.1175, 552.130, 552.136, 552.137, 552.138, and 552.301 of the Government Code to allow governmental bodies to redact information on employees'	04-29-09 H Reported favorably from



### Higher Education Legislative Tracking Chart

			body to redact certain personal information under the public information law without the necessity of requesting a decision from the attorney general.	addresses, phone number, social security numbers, and family or that is maintained by family violence/sexual assault centers the body discloses under the Public Records Act without having to get the AG's decision.	committee on House State Affairs
HB 3122	Shelton		Relating to the employment and temporary licensing of medical school faculty from out of state.	Amends Chapter 155 of the Occupations Code to allow deans of medical schools to sponsor applicants for temporary licenses who have been offered a salaried faculty position. Requires TMB to issue temporary license by 10 days after receiving sponsored application for applicants satisfying certain requirements. Applicants must sign oath. Physician with temporary license and medical school are required to file affidavits affirming acceptance of terms and limits. Temporary licenses valid for 6 months and may not be renewed. Practice is limited to teaching in sponsoring medical school.	03-18-09 H Introduced and referred to committee on House Public Health
HB 3473	Coleman		Relating to charity care.	Statement of finding. Prohibits hospitals from discriminating against uninsured/underinsured individuals through pricing policies. Price for medically necessary health care service is prohibited from exceeding the greater of: 125% Medicare reimbursement rate, or rate based on discount not less than 90% of weighted average contract allowance. DSHS to enforce, allows auditing. Complainants have a right of a hearing and can bring a private cause of action. AG can bring suit for injunctive relief. For individuals with family income less than 600% FPL, hospitals are prohibited from collecting amounts more than 20% of family income during a 12 month period. Allows adoption of policies to exclude if individual owns assets in excess of 200% of charges for services. Excludes certain assets. Allows HHSC commissioner to supplement Medicare cost ratio with additional expense/revenue. Applies uniform reporting and collection for financial/utilization data to nonprofit hospitals as well. Requires hospitals to include in community benefits plan, a list of goals/objectives. Requires	03-19-09 H Introduced and referred to committee on House Public Health



### Higher Education Legislative Tracking Chart

				at least one public hearing before adoption of community benefits plan. Eliminates language in Section 311.045 of the Health and Safety Code which allows hospitals who elect to provide community benefits at a level reasonable in relation to community needs assessment. And eliminates language allowing nonprofit hospitals designated at disproportionate share to be considered as having provided compliant with charity care and indigent care standards. Requires hospitals to include specific information regarding existence of charity care program in first bill sent to patients. DSHS is to annually post on website nonprofit hospital reports on charity care and annual reports. Allows investigation by AG for violations.	
HB 3652	Merritt		Relating to authorizing the issuance of revenue bonds for The University of Texas Health Science Center at Tyler.	Amends Chapter 55 of the Education Code to allow UTHSC Tyler to issue revenue bonds in the amount of \$13.3 million.	03-19-09 H Introduced and referred to committee on House Higher Education
HB 3709	Coleman		Relating to certain charitable corporations granted eminent domain power, repealing eminent domain and condemnation of residential property adjacent or contiguous to such medical	Amends Title 51, Article 3183b-1 of the Texas Revised Civil Statutes to prohibit power of eminent domain and condemnation to apply to any residential area. Prohibits specific corporation from acquiring residential property for future use. Prohibits medical center condemnation entities from purchasing residential property with values that have been diminished by blockbusting activity. Requires remediation.	05-11-09 H Reported from committee as substituted House Land and Resource Management



### Higher Education Legislative Tracking Chart

HB 3757	Lewis	SB 2237 by Seliger	center. Relating to authorizing the issuance of revenue bonds for a medical education building for the Texas Tech University Health Sciences Center.	Amends Chapter 55 of the Education Code to allow Texas Tech University System to acquire/purchase/construct/etc. infrastructure for a medical education building for TTU HSC Odessa financed by issuance of tuition revenue bonds up to \$12.6 million.	03-19-09 H Introduced and referred to committee on House Higher Education
HB 3793	Morrison		Relating to establishing a health and wellness initiative program to reduce health plan costs for certain public employees.	Amends the Insurance Code to require health and wellness initiative programs to be established for State Employees, public school employees, and UT System and Texas A&M System employees. Programs should: 1.include early detection incentives, no smoking campaigns, and plans to match an individual to a clinical trial; 2. encourage participants to get a second opinion and visit a certified NCI; 3. provide a \$100 wellness benefit for undergoing screening; and 4. be available to covered individuals in a uniform program regardless of health history. Requires each system to establish a website for the program.	03-23-09 H Introduced and referred to committee on House Insurance
HB 3852	Eiland		Relating to the authority of certain counties to implement a pilot program to provide certain health care services and to the funding of the	Amends Chapter 324 of the Tax Code to create a health care pilot program. Subchapter applies only to county with population over 240,000 bordering Gulf of Mexico, has no countywide hospital district, and has a public medical school/HSC with which county contracts for health care services. Commissioners' court may implement pilot program to provide primary and preventative medical services under Medicaid and secondary or tertiary services under medical assistance program. County can implement only if voters approve sales and use tax. Tax authorized is between 1/8 of 1% and 1%. Requires calling an election. Tax lasts 10 years unless reauthorized. Tax revenue can only be used to provide funding for a health care pilot program.	03-23-09 H Introduced and referred to committee on House Ways and Means



### Higher Education Legislative Tracking Chart

HB 4021	Branch		<p>program.</p> <p>Relating to authorizing the issuance of revenue bonds or other obligations to fund capital projects at public institutions of higher education.</p>	Tuition Revenue bond bill providing bonds for capital improvements.	03-23-09 H Introduced and referred to committee on House Higher Education
HB 4172	Maldonado		<p>Relating to authorizing the issuance of revenue bonds for Texas A &amp; M University System Health Science Center for the Health Professions Education Center in Round Rock.</p>	Allows tuition revenue bonds for Texas A&M University College of Medicine for the Health Professions Center - Round Rock in the amount of \$60,000,000.	03-24-09 H Introduced and referred to committee on House Higher Education
HB 4324	Chisum	SB 814 by Watson	<p>Relating to repayment assistance for certain physician education loans.</p>	Amends Section 61.532 of the Education Code to add to the eligibility to receive payment assistance, a physician must have graduated from a higher education institution medical school. Includes in the list of facilities a physician must have completed one year of medical practice: a primary care/medical specialty of acute physician shortage and in a hospital/clinic with a patient population of at least 50% uninsured/Medicaid or a public hospital. The maximum amount of repayment assistance that can be received in one year by an eligible physician is the less of 33% of the total eligible loans or \$35,000. Requires the Coordinating Board to administer the program so that it maximizes matching funds through the National	05-04-09 H Reported favorably from committee on House Public Health



### Higher Education Legislative Tracking Chart

				Health Service Corps program.	
HB 4423	Gonzales	SB 2077 by Uresti	Relating to physician shortage residency programs.	Amends Chapter 61 of the Education Code to allow the Board to contract with a med school, licensed hospital, or nonprofit to establish and operate an approved physician shortage residency training program. Allows disbursement of funds for the purpose of graduate training of physicians. Establishes a physician shortage residency advisory committee of nine members. Committee meets annually to determine physician shortages, review applications for approval and funding of residency training programs, and make recommendations to the board.	03-25-09 H Introduced and referred to committee on House Public Health
HB 4453	Branch		Relating to the national research university fund and allocation of amounts appropriated from the fund, the abolition of the higher education fund, and the groupings established by the Higher Education Coordinating Board.	Amends Chapter 61 of the Education Code. Requires HECB to establish institutional groupings for classifying higher ed institutions, including research universities, emerging research universities, etc. Allocates money from the national research university fund to help universities achieve national prominence as research university. Fund is established outside state treasury under comptroller's control. Establishes eligibility to receive funds. Prohibits UT Austin, Texas A&M and Prairie View A&M University from receiving funds. Amount distributed is based on formula developed by HECB. Establishes use of funds. Repealer language.	03-25-09 H Introduced and referred to committee on House Higher Education
HB 4502	Coleman		Relating to charity care.	Amends Section 311.031 of the Health and Safety Code to redefine charity care to exclude bad debt expenses. Redefines unreimbursed costs, calculating costs by applying hospital's Medicare cost ratio to billed charges. Requires HHSC Commissioner by rule to supplement the Medicare cost ratio. Adds Subchapter Q: Study on Hospital Billing and Collection Practices to Chapter 531 of the Government Code. Requires HHSC to study the effects of hospital and billing practices on the uninsured and underinsured. Requires study to address:	03-25-09 H Introduced and referred to committee on House Public Health



### Higher Education Legislative Tracking Chart

				effects of hospital billing practices by public health region; effects of billing on uninsured/underinsured; and actions other jurisdictions have taken to address billing and collection practices. Requires data to be indexed by hospital structure. Allows study to be delegated, and requires public hearings. Amends Chapter 311 of the Health and Safety Code to require AG to investigate complaints of violating Subchapter D: Community Benefits and Charity Care. Requires AG to establish complaint process. Allows AG to collect fees. Annual reporting by AG.	
HB 4503	Coleman		Relating to charity care and government-sponsored indigent health care provided by certain hospitals.	Amends Chapter 311 of the Health and Safety Code to add Section 311.0435: Duty of For-Profit Hospitals to Provide Community Benefits. Requires hospitals (except nonprofits and those owned/operated by political subdivisions) receiving tax abatements from political subdivisions to provide charity and government-sponsored indigent health care. Requires hospitals to provide charity care equal to at least 5% of gross patient revenue. Government-sponsored indigent health care must be provided equal to at least 4% of gross patient revenue. Allows for a reduction in amount of care due to disaster requiring hospital to curtail operations. Allows department to deny/suspend/revoke a hospital's license.	03-25-09 H Introduced and referred to committee on House Public Health
HB 4515	Coleman	SB 2185 by Gallegos	Relating to contracting practices of certain large nonprofit corporations.	Amends Chapter 22 of the Business Organizations Code to require 501(c)(3) nonprofit corporations with total annual gross revenues of \$50 million or more to follow purchasing guidelines of state agencies through RFP method for services.	4/22/09 H No action taken in committee House Business and Industry
HB 4567	Zerwas		Relating to the research development fund.	Amends Section 62.092 of the Education Code to eliminate Prairie View A&M University as an eligible institution to receive research development funds.	03-26-09 H Introduced and referred to committee on House Higher Education
HB 4591	Alonzo		Relating to the issuance of general obligation bonds to	Amends chapter 61 of the Education Code to require HECB to direct TPFA to issue bonds necessary to provide funds to develop and maintain research universities of the highest tier	05-06-09 H Committee action pending House Pensions/Inves



### Higher Education Legislative Tracking Chart

			provide funding to develop and maintain research universities in this state of the highest tier.		ments/Financial Services
SB 185	Watson		Relating to establishing a commission to prepare and recommend a long-range plan for higher education.	<p>Adds Section 51.4011: Commission to Recommend Long-Range Plan for Higher Education to Chapter 51 of the Education Code. Establishes a commission to conduct a study of issues related to the higher education system in Texas and to recommend a long-range plan to meet demands of global economy and growing/diverse population.</p> <p>Commission is composed of 20 members: 11 persons appointed by Higher Ed Commissioner representing the UT System, the Texas A&amp;M System, the Uof H System, the UNT System, the Texas Tech System, the Texas State System, the Texas State Technical College System, the leading association of Texas junior/community colleges, the leading association of independent colleges/universities in Texas, a student enrolled at a general academic teaching institution, and a student enrolled at a public junior college; 6 people not affiliated with specific systems including 2 appointed by Governor, 2 appointed by the Lt. Governor, and 2 appointed by the Speaker; 2 members of the HECB appointed by the chair; and the state demographer. Governor designated presiding officer from appointees not affiliated with a particular university system.</p> <p>Allows Commission to request assistance/information from any institution of higher education/state agency. Expenses of Commission paid from contingent accounts of Senate and House. Commission may study any issue determined to be important to the future of higher education in state, including: incentives, methods to improve communication/coordination between higher education and business community, concerns on current and projected student enrollment at UT and Texas A&amp;M, creation of additional public flagship research institutions of higher education, methods to identify missions, criteria for establishing new graduate programs, alternative methods of funding institutions of higher education including research universities, and the TEXAS grant, tuition equalization grant, etc.</p>	2/10/09 Referred to Senate Higher Education



### Higher Education Legislative Tracking Chart

				Requires report and findings, recommendations and proposed legislation by October 1, 2010, to the HECB, Governor, Lt. Governor, Speaker, and each Higher Education Committee Chair. Expires January 1, 2011.	
SB 290	Nelson		Relating to the creation and implementation of the health professional education grant program.	<p>Adds Subchapter HH: Health Professional Education Grant Program to the Education Code. Defines "eligible health professional education program" as: 1. accredited physician residency training program; 2. accredited professional nursing program for initial licensure; 3. accredited vocational nursing program for licensure; 4. accredited advanced nurse practitioner program leading to BNE registration; 5. undergraduate or graduate PA program accredited by ARCEPA; or 6. accredited undergraduate or graduate allied health program.</p> <p>Allows HECB to award grants to higher ed institutions to assist program in providing new distance learning/community-based projects, expand/enhance existing distance learning/community-based projects, and fund related activities.</p> <p>Prohibits HECB from awarding grants to replace current funding for existing projects.</p> <p>Allows HECB to appoint an advisory committee. Requires each award recipients to provide written report on use of grant to HECB. Requires HECB to annually submit a consolidated report of program reports to Governor and Legislature.</p>	2/11/09 Referred to Senate Higher Education
SB 430	West		Relating to higher education facilities as authorized projects in a public improvement district.	<p>Amends Section 372: Improvement Districts in Municipalities and Counties of the Local Government Code to include as a public improvement project: acquisition/construction/maintenance/improvement of buildings/facilities used for teaching/research/preservation of knowledge by institutions of higher education or for auxiliary purposes of higher ed institutions.</p> <p>Allows municipalities/counties establishing public improvement districts to finance public improvement projects to enter into MOUs with higher ed institutions providing services in the municipality/county.</p> <p>Does not require HECB approval for buildings/facilities financed by public improvement districts authorized.</p> <p>Section 61.058: New Construction and Repair and Rehabilitation Projects of the Education</p>	02-17-09 S Introduced and referred to committee on Senate Intergovernmental Relations



### Higher Education Legislative Tracking Chart

				Code does not apply to projects financed by public improvement districts under this act.	
SB 509	Carona		Relating to the reporting of proposed publicity expenditures by state agencies to certain legislative committees.	Amends Section 2113.011 (Use of Appropriated Money) of the Government Code to require state agencies to report their proposed publicity expenditures by June 1 of each year to the standing committee with jurisdiction. Allows committee to send a statement supporting or opposing a proposed expenditure with a majority vote.	02-17-09 S Introduced and referred to committee on Senate Finance
SB 597	Nichols	HB 838 by Christian	Relating to authorizing the issuance of revenue bonds for a molecular science building at Stephen F. Austin State University.	Adds Section 55.1778: Stephen F. Austin State University; Additional Bonds to Chapter 55 of the Education Code.  Allows Stephen F. Austin to acquire/purchase/construct/improve/etc. property/structures/roads/etc. for a molecular science building financed with bonds not to exceed \$46 million.	02-23-09 S Introduced and referred to committee on Senate Finance
SB 655	Fraser	HB 61 by Aycock	Relating to the statutory limitation imposed on certain university systems to issue revenue bonds to fund facilities at certain institutions of	Amends Sections 55.1751 (d and e) and 55.1755 (d) of the Education Code to delete the enrollment timeline provisions for Texas A&M University-Central Texas, Texas A&M University-San Antonio, and University of North Texas-Dallas Campus for the issuance of tuition revenue bonds for those facilities.	03-26-09 S Committee action pending Senate Finance



### Higher Education Legislative Tracking Chart

			higher education.			
SB 706	Nelson		Relating to incentives to recruit and retain allied health education program faculty.	Amends Chapter 54 of the Education Code to allow the governing boards of higher education institutions to exempt the tuition of resident undergraduate students who are the children of: allied health professionals and is either 1. employed full-time at the institution as a faculty member/staff of an allied health program or 2. has contracted with the institution to serve as a full-time member of faculty/staff of a graduate allied health program. Children of part-time employees are eligible for a pro rated exemption. Persons are not eligible if they have received an exemption for 10 semesters/summer sessions at any institution of higher education or has received a baccalaureate degree. Exemptions apply only at institutions at which parent is employed. HECB is required to adopt rules and an application form. Allows for a \$500 exemption for students who hold license/certificate/registration in an allied health profession and is serving under a preceptor agreement. Adds Subchapter JJ: Allied Health Faculty Enhancement Grants to Chapter 61 of the Education Code. Allows HECB to award allied health faculty enhancement grants to programs to assist in education/recruitment/retention of faculty members.	02-25-09 S	Introduced and referred to committee on Senate Higher Education
SB 775	Lucio		Relating to the licensing and regulation of clinical laboratory science professionals.	Adds Chapter 703: Clinical Laboratory Science Professionals to Title 3 of the Occupations Code. Purpose of chapter is to ensure better protection of public health by requiring minimum qualifications for clinical lab science professionals and ensure that lab tests are performed competently. Chapter does not apply to individuals licensed to engage in health care services within scope of practice; individuals engaged in lab practices in employ of federal government; individuals in lab science engaged exclusively in research if not used in health maintenance/diagnosis/treatment of disease; students/trainees enrolled in lab science education programs; individuals performing waived/provider-performed microscopy tests; and individuals performing non-waived point-of-care testing. Clinical Laboratory Science Advisory Board established is subject to sunset September 1, 2021. HHSC Commissioner has rule-making authority for qualifications for licensure, renewal of licenses, standards of professional conduct, authorization of certification exams, and criteria for continuing education. Allows establishment of fees to cover costs of administration. DSHS is authorized to examine criminal convictions/guilty pleas/deferred adjudication of applicants for licensure. Requires DSHS to maintain a registry of licensed individuals. Requires DSHS to compile information of consumer interest. Creates the Clinical Laboratory Science Advisory Board of 7 members appointed by Governor: 4 who are licensed clinical lab science professionals (1	04-28-09 S	Committee action pending Senate Health and Human Services



### Higher Education Legislative Tracking Chart

				who is not a physician lab director and 1 who is a clinical lab scientist); 1 physician; 1 physician who is not a lab director/pathologist; and 1 public member. Members serve 3 year staggered terms. Contains restrictions on appointees. Advisory Board is to meet 2 times annually. Duties are to provide advice and recommendations to DSHS and HHSC on technical matters relevant to chapter. Requires licensure to perform clinical laboratory tests. Defines application process and requirements for license. Establishes categories for licensure: categorical clinical laboratory scientist license, clinical laboratory technician, clinical laboratory specialist in molecular biology, clinical laboratory specialist in cytogenetics, clinical laboratory specialist in histocompatibility, temporary license, and provisional license. Establishes a civil penalty.	
SB 790	Nelson		Relating to clinical practice hours available for professional nursing educational programs at certain hospitals.	As Engrossed: Amends Chapter 105 of the Health and Safety Code to create a Clinical Practice Hours Database. Requires Statewide Health Coordinating Council to establish/maintain a database of clinical practice hours by hospital location available for professional nursing educational programs offered at higher ed institutions in TX. Requires hospitals to report by August 1 of each year to the nursing resource section: 1. projected # of clinical practice hours available to professional nursing education programs; 2. actual number of clinical practice hours available during the preceding year; and 3. actual number of clinical practice hours used by professional nursing educational programs at the hospital by higher ed institution during preceding reporting year. Allows council to exempt from reporting, hospitals unable to provide clinical practice hours to professional nursing educational programs. Requires the nursing resource section to report to professional nursing educational programs: 1. actual # of clinical practice hours available; 2. actual # of unused clinical practice hours; 3. projected # of clinical practice hours available; 4. written comments submitted by each hospital and 5. a comparison of the variation between projected and available hours. Requires Council to report to the Legislature before each legislative session: 1. number of unused hours for reporting hospitals; 2. specific professional nursing educational programs at higher education institutions to target for growth based on proximity to facilities with unused hours; 3. summary of written comments submitted by hospitals; and 4. an analysis of variation between projected and available hours.	05-19-09 H Meeting set for 8:00 A.M., E2.012 House Public Health
SB 814	Watson	HB 4324 by Chisum	Relating to repayment assistance for certain physician	Amends Section 61.532 of the Education Code to add to the eligibility to receive payment assistance, a physician must have graduated from a higher education institution medical school. Includes in the list of facilities a physician must have completed one year of medical practice: a primary care/medical specialty of acute physician shortage and in a hospital/clinic with a patient population of at least 50% uninsured/Medicaid or a public hospital. The	05-07-09 S Placed on the Senate Intent Calendar



### Higher Education Legislative Tracking Chart

			education loans.	maximum amount of repayment assistance that can be received in one year by an eligible physician is the less of 33% of the total eligible loans or \$35,000. Requires the Coordinating Board to administer the program so that it maximizes matching funds through the National Health Service Corps program.	
SB 1000	Gallegos	HB 1489 by Thompson	Relating to the practice of nursing.	Adds Subchapter I: Hospital Patient Protection to Chapter 241 of the Health and Safety Code. Requires hospitals to maintain organized nursing service: available 24 hours a day, is organized/equipped/staffed to meet hospital's patients' needs, and meets requirements of department. Chief nursing officer directs the hospital's nursing service who reports directly to the senior manager of the hospital. Prohibits hospital from assigning a nurse to a unit/clinical area unless nurse is determined competent under hospital's written guidelines, and has received sufficient training for unit. Requires each hospital to have on duty at all times: 1. sufficient # of direct care registered nurses, and 2. additional nurses/staff required under patient classification system. Chief nursing officer must develop written nurse staffing plan for each shift in each patient care unit. Lists functions an unlicensed nursing staff member is prohibited from performing. Establishes minimum nursing staff levels for each unit. Requires posting of information from the nurse staffing plan at the beginning of each shift in each patient care unit. Requires each hospital to develop/use a patient classification system to determine the number of nurses/unlicensed staff required for each shift in each unit. Requires each hospital to submit its patient classification system to an annual review to determine if the system measures needs of individuals/predicts nurse staff requirements. Requires HHSC/TBN to jointly adopt rules implementing uniform patient classification systems. Creates the Uniform Statewide Patient Classification System Advisory Committee of 35 members appointed jointly by the department and the Texas Board of Nursing, 18 of which must be direct care registered nurses. Amends Section 161.0315 of the Health and Safety Code to prohibit medical peer review committees from conducting peer reviews of direct care registered nurses. Amends Section 241.055 of the Health and Safety Code to establish civil penalties for violations of Subchapter I and for interfering with a nurse's duty and right of patient advocacy. Amends Section 241.056 to allow nurses/others harmed by violations of Subchapter I to file suit to recover damages, court costs, and attorney's fees. Adds Subchapter N: Direct Care Registered Nurses to Chapter 301 of the Occupations Code. Defines direct care registered nurse. Lists specific practices of direct care registered nurses. Allows only direct care registered nurses to perform patient assessments which includes: direct observation of signs/symptoms of illness, reaction to treatment, behavior, and physical condition; interpretation of information obtained from patients; and	03-09-09 S Introduced and referred to committee on Senate Health and Human Services



### Higher Education Legislative Tracking Chart

				<p>collection/analysis/synthesis/evaluation of data about a patient. Provides whistle-blower protection for direct care registered nurses. Adds Section 301.356 to the Occupations Code to establish that a nurse has duty/right to act as an advocate for each patient assigned to them.</p> <p>Prohibits discrimination/actions against nurses who exercise duty/right of patient advocacy. Contains repealer language.</p>	
SB 1077	Carona		<p>Relating to certain persons and activities regulated by the Department of Public Safety.</p>	<p>Allows DPS access to criminal records maintained by the FBI for: applicants/holders of licenses to manufacture, distribute, analyze, or conduct research with a controlled substance; applicants/holders of chemical precursor transfer permits; applicants/holders of chemical laboratory apparatus transfer permits; and others.</p> <p>As Substituted: Amends Section 29.902 of the Education Code to require school districts to consider offering drivers ed during school year. If district offers course, allows district to conduct the course and charge a fee or contract with a driver education school. Amends Section 1001.101 of the Education Code to require drivers ed courses to require students to complete 7 hours behind the wheel instruction, 7 hours of observation instruction, and 20 hours of behind the wheel instruction.</p> <p>Amends Chapter 1001 of the Education Code to prohibit the Commissioner from issuing/renewing a driver's ed license to someone with 6 or more points assigned. Amends Chapter 521 of the Transportation Code to require DPS to collect data on collisions of students taught by public schools/Driver's ed schools/others.</p>	05-15-09 H Voted favorably from committee as substituted House Public Education
SB 1102	Watson	HB 1993 by Anchia	<p>Relating to certain energy security technologies for critical governmental facilities.</p>	<p>Adds Chapter 2311: Energy Security Technologies for Critical Governmental Facilities to Title 10 of the Government Code. Defines a critical governmental facility as a state/political subdivision owned building expected to be continuously occupied, maintain operations for 6,000 hours each year, have peak demand exceeding 500kw, and serve a critical public health function during disaster/emergency...includes hospitals and biological research facilities. Requires evaluation of whether equipping facilities with combined heating/power system would result in energy savings exceeding costs of purchasing/operating/maintaining system over 20 years.</p>	03-13-09 S Introduced and referred to committee on Senate Natural Resources
SB 1138	Duncan		<p>Relating to regional poison control centers.</p>	<p>Amends Section 777.001 of the Health and Safety Code to eliminate Northwest Texas Hospital, Amarillo Hospital District and substituting the Texas Tech University Health Sciences Center as one of the six regional poison control centers. Amends Section 777.008 to change the makeup of the coordinating committee to: 1 public member appointed by HHSC Commissioner; 1 public member appointed by the Commission on State Emergency Communications; and 8 instead of 13 members appointed by a list of entities. Eliminates the</p>	04-16-09 H Referred to House Committee on House Public Health



### Higher Education Legislative Tracking Chart

				appointments from: Northwest Texas Hospital, Amarillo Hospital District; UT Southwestern Med Center at Dallas; Texas A&M University HSC; Texas Veterinary Medical Diagnostic Lab; and TDA. Repeals Section 777.011 of the Health and Safety Code: Regional Poison Control Services Account.	
SB 1146	Zaffirini		Relating to authorizing the issuance of revenue bonds or other obligations to fund capital projects at public institutions of higher education.	Amends Chapter 55 of the Education Code regarding tuition revenue bonds. Lists specified amounts for each institution.	03-13-09 S Introduced and referred to committee on Senate Finance
HB 1179	Dan Patrick		Relating to requiring general academic teaching institutions to offer health benefit plans to students.	Adds Section 51.9521 of the Education Code to require general academic teaching institutions to offer/sponsor one or more health benefit plans for students. At least one plan must be a high deductible plan.	04-30-09 H Referred to House Committee on House Higher Education
SB 1183	Wentworth		Relating to the waiver of sovereign immunity for certain claims arising under written contracts with state agencies.	Adds Chapter 114: Adjudication of Claims Arising Under Written Contracts with State Agencies to Title 5 of the Civil Practice and Remedies Code. Defines adjudication, contract subject to chapter, and state agency. Applies only to breach of contract claims over \$250,000. State agencies that are authorized by statute/constitution to enter into a contract and does so, waives sovereign immunity for purpose of adjudicating a claim on breach of contract. Establishes award amount for adjudication in breach of contract claims. Prohibits damages from including consequential damages, exemplary damages, or damages for unabsorbed home office overhead. Chapter does not waive defense, waive immunity to suit in federal court, waive immunity to suit for tort liability, grant immunity to negligence claims, or grant	03-13-09 S Introduced and referred to committee on Senate State Affairs



### Higher Education Legislative Tracking Chart

				immunity to suit.	
SB 1196	Gallegos	HB 1955 by Coleman	Relating to administrative and contract provisions applicable to certain nonprofit corporations located in large counties.	Adds Subchapter J: Administrative and Contract Provisions Applicable to Certain Nonprofit Corporations Located in Large Counties. Applies to nonprofit corporations with principal office in counties of 3.3 million or more and that contract with local government corporations. Requires appointments to board of directors to reflect diversity of constituency served. Nonprofit corporation is subject to open records the same as a governmental body. Requires nonprofit corporations to make a reasonable effort to award contracts to historically underutilized businesses.	03-13-09 S Introduced and referred to committee on Senate Business and Commerce
SB 1416	Hegar		Relating to certain contracts between pharmacy benefit managers and Employees Retirement System of Texas, the Teacher Retirement System of Texas, The Texas A&M University System or the University of Texas System.	Amends Chapters 1551, 1575, and 1601 the Insurance Code to add: Pharmacy Benefit Manager Contracts. Board/Trustee/System is not required to select lowest bid, but contract which meets criteria. Contract must state if PBM can engage in therapeutic interchange substituting a preferred drug. Must maintain documentation of each therapeutic interchange. Requires contract to require PBM manager to disclose financial/medical reasons for adding/removing/changing drugs on formulary within 30 days time. Must identify specialty drugs on formulary with costs, discounts, other fees. Requires contract to disclose conflicts of interest, cost savings initiatives used by PBMs to compute rebate amounts Board receives. Must include maximum allowable cost price list used by PBM. Must identify and label info contained considered proprietary belonging to PBM. Requires contract to disclose if PBM has an agreement on sale of data. Contract is required to allow independent audits of PBMs to verify costs/discounts.	03-17-09 S Introduced and referred to committee on Senate State Affairs
SB 1524	Shapleigh		Relating to a report regarding	Adds Section 61.0692 to the Education Code. HECB must require each higher education institution to report the amount of money received by institution/faculty/staff from	04-22-09 S Committee action pending



### Higher Education Legislative Tracking Chart

			research funds received by public institutions of higher education or employees of those institutions from pharmaceutical companies.	pharmaceutical companies in the two preceding years in connection with research or related activities conducted at a research facility. Requires HECB to adopt rules to administer section.	Senate Higher Education
SB 1564	Shapleigh		Relating to Tier One Challenge funding to support the development and enhancement of national research universities in this state.	Adds Subchapter FF: Tier ONE Challenge Funding to the Education Code. Defines emerging research university and research university. Purpose is to provide funding for the enhancement of research universities and development of emerging research universities. In order to be eligible, university must: submit to HECB a detailed, long-term strategic plan on how it will achieve recognition/enhance reputation as research university; receive Board approval; and meet any other Board required criteria. UT Austin, Texas A&M University and Prairie View A&M University are not eligible. Requires HECB to allocate funds to eligible universities based on formula developed by Board. Money can only be used for implementing strategic plan. Annual reporting requirement.	03-25-09 S Committee action pending Senate Higher Education
SB 1603	Shapleigh		Relating to requiring financial disclosure concerning reports prepared by public institutions of higher	Amends Chapter 51 of the Education Code to require higher ed institutions that receive money to conduct research, analysis, survey, or other work to report work and include: statement of receipt of payment, identity of payor, and amount of payment.	5/21/09 Referred to House Higher Education Committee



### Higher Education Legislative Tracking Chart

			education for other entities.		
SB 1706	West		Relating to the establishment of a program to provide prescribers with evidence-based information about pharmaceuticals.	Legislative intent: health care professionals have balanced/unbiased evidence-based information to ensure high-quality prescribing decisions. Adds Subchapter Q: Evidence-Based Prescriber Education Service to the Government Code. Defines: 1. prescribed product which includes drugs, devices, and biologic products. 2. state health care program - Medicaid, SPAP, or state employees/retirees/corrections program. Requires HHSC with TX higher education institution to develop an evidence-based prescription education service designed to provide health care professionals with information/education from a noncommercial source on comparative efficacy, safety, and cost-effectiveness of prescribed products. Focus of service is to assist prescribers with making appropriate pharmaceutical recommendations. Education service is required to conduct in-person outreach/education: 1. available to all prescribers participating in state-funded health care programs; 2. available at their place of work; 3. facilitated by trained clinician-educators; and 4. conducted one-on-one. Educational materials must be balanced, clinically relevant, and comprehensive review. Allows use of materials developed by med schools, academic medical centers, pharmacy schools, medical societies, or research institutes. HHSC rulemaking authority for: establishing minimum clinical/educational qualifications for prescriber educators; required training for educators; code of conduct for educators; and conflict of interest guidelines. Imposes annual fee on each wholesale distributor licensed under Subchapter N that employs/directs/utilizes one or more marketing representatives. Failure to pay fee results in violation similar to that if they failed to apply for license. Requires annual report.	04-30-09 S Committee action pending Senate Health and Human Services
SB 1906	Hinojosa		Relating to reports on expenditures of hospital upper payment limit supplemental payment program money.	Amends Chapter 531 of the Government Code to require each hospital receiving federal money through the state for hospital upper payment limit supplemental payment program to report to Commission the aggregate expenditures of that money that were health-related vs. non-health related. Additionally requires reporting of administrative and legal fees charged by private entities administering program for hospital/county/entity. Requires reporting by Commission to Legislature.	03-24-09 S Introduced and referred to committee on Senate Health and Human Services
SB	Watson		Relating to the	Amends Title 10 of the Government Code to add Chapter 2312: Regulation of Certain	03-31-09 S



### Higher Education Legislative Tracking Chart

2030			regulation of certain research.	Research. Defines: institutional review board, permit, project, regulatory agency, and research. Applies to projects conducted through public/private institution of higher education or business entity. Projects vest on date of initial IRB approval. Applicants are entitled to have regulatory agency consider permit on bases of orders, ordinances, rules, expiration dates in effect the date the project vested. These rights begin on the date the project vests and continues throughout scientific endeavor and commercialization effort of original research. If permits are required, orders/rules in effect for original application of first permit are the sole basis for consideration of further permits. Prohibits regulatory agencies from shortening duration of permits. Allows permitholder to take advantage of changes in law that benefit/enhance a project. Does not interfere with compliance with technical requirements. Does not apply to permit changes that are enacted to address imminent threat or result in increased fee. Chapter is only enforceable through mandamus or declaratory/injunctive relief.	Introduced and referred to committee on Senate Health and Human Services
SB 2077	Uresti	HB 4423 by Gonzales	Relating to physician shortage residency programs.	Amends Chapter 61 of the Education Code to allow the Board to contract with a med school, licensed hospital, or nonprofit to establish and operate an approved physician shortage residency training program. Allows disbursement of funds for the purpose of graduate training of physicians. Establishes a physician shortage residency advisory committee of nine members. Committee meets annually to determine physician shortages, review applications for approval and funding of residency training programs, and make recommendations to the board.	5/21/09 Referred to House Public Health
SB 2185	Gallegos	HB 4515 by Coleman	Relating to contracting practices of certain large nonprofit corporations.	Amends Chapter 22 of the Business Organizations Code to require 501(c)(3) nonprofit corporations with total annual gross revenues of \$50 million or more to follow purchasing guidelines of state agencies through RFP method for services.	03-31-09 S Introduced and referred to committee on Senate Business and Commerce
SB 2237	Seliger	HB 3757 by Lewis	Relating to authorizing the issuance of revenue bonds for a medical education building for	Amends Chapter 55 of the Education Code to allow Texas Tech University System to acquire/purchase/construct/etc. infrastructure for a medical education building for TTU HSC Odessa financed by issuance of tuition revenue bonds up to \$12.6 million.	03-31-09 S Introduced and referred to committee on Senate Finance



### Higher Education Legislative Tracking Chart

			the Texas Tech University Health Sciences Center.		
SB 2243	Zaffirini		Relating to the repayment of certain education loans for licensed physicians and dentists.	Amends the Education Code to give preference in repayment of physician education loans to primary care physicians and pediatric/geriatric subspecialties. Changes eligibility requirements: 1. unrestricted license, medical assistance program provider authorization number, and subspecialty certification; and 2. enter into written contract to fulfill 4 year service obligation providing service to medical assistance recipients or practice in medically underserved area. HHSC and TMB required to establish target amounts for medical assistance participants. Limits payment assistance to four years. Provides limitations on repayment.	05-04-09 H Referred to House Committee on House Higher Education
SB 2527	Hinojosa	HB 1876 by Chisum	Relating to creating the health care access fund to recruit health care providers in health professional shortage areas and to support federally – qualified health centers.	Amends Chapter 403 of the Government Code to create the Health Care Access Fund as a special fund in treasury outside of GR. Money in fund is only to: recruit/retain health care providers in shortage areas and support FQHCs. Money in each biennium is appropriated 75% to HECB to repay provider education loans, and 25% to DSHS to fund operational costs of FQHCs. Amends Chapter 61 of the Education Code to add Subchapter FF: Repayment of Certain Health Care Provider Education Loans. Allows HECB to assist in repaying education loans for health care providers who apply and qualify: must be licensed in TX; have completed 1, 2, 3, or 4 consecutive years of practice in a professional shortage area; and provide services to medical assistance recipients or child health plan enrollees. Establishes reasons for ineligibility. Establishes maximum amounts for repayment. Requires HECB and DSHS to enter into an MOU to identify/recruit eligible repayment assistance persons and accept/review applications. Amends Section 155.0211 of the Tax Code to progressively increase the tax per ounce of tobacco products. Deposits revenue attributable to a tax rate of 35.213% of the manufacturer's list price into the general revenue account and the remainder is deposited into the Health Care Access Fund. Contains repealer language: Repayment of Certain Physician Loans, Repayment of Certain Dental Education Loans; Dental Hygienists Student Education Loans; and Rural Physician Assistant Loan Education Reimbursement Program.	04-16-09 S Rereferred to Committee on Senate Finance
SB 2556	Huffman		Relating to confidentiality	As Substituted: Amends Subchapter C of Chapter 552 of the Government Code to exempt from open records: information pertaining to biological agents/toxins identified or listed as a	05-13-09 H Referred to



### Higher Education Legislative Tracking Chart

			of information regarding certain agents.	select agent in federal law. Includes information about location, security protections, use/intended use, and identity of individuals authorized to possess, use, or access it. Makes bill retroactive.	House Committee on House Defense and Veteran's Affairs
SCR 33	Mike Jackson		Granting Betty Bardwell permission to sue the State of Texas, the University of Texas Medical Branch at Galveston, and the Office of the Attorney General.	Concurrent resolution allowing Betty Bardwell to sue UTMB Galveston and the Office of the Attorney General.	04-17-09 S Failed to pass (Vote: N: 16/Y: 11)