

BILL ANALYSIS

C.S.H.B. 1211
By: Fletcher
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the current delivery system of correctional health care has been in place for over a decade with no review of alternative solutions or occurrence of competitive bidding. These parties explain that now is an opportune time for the Texas Department of Criminal Justice (TDCJ) to consider contracting an alternative method for providing medical care to inmates confined by TDCJ. The process would allow for new ideas, technology, and methodologies developed by the private sector over the past 15 years to inform medical care in TDCJ and enable TDCJ and the state to evaluate alternatives to the current system without completely dismantling the current system. C.S.H.B. 1211 seeks to address this issue by introducing competition into the current delivery model.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1211 requires the Texas Department of Criminal Justice (TDCJ) to issue, not later than October 1, 2015, a request for proposals to provide medical care to inmates confined by TDCJ. The bill requires TDCJ to determine and to specify in the request the region of Texas for which the medical care is to be provided. The bill requires there to be at least 20,000 inmates but not more than 30,000 inmates for whom care will be provided and requires those inmates to include a representative sample of the physical and mental health and custody classifications of inmates. The bill requires a response to the request for proposals to be due not later than the 180th day after the date TDCJ issues the request. The bill establishes that a contract awarded in response to the request for proposals must prohibit TDCJ from spending appropriated money to make a payment under the contract without the prior approval of the Legislative Budget Board and must require that the provision of medical care begin not later than July 1, 2016. The bill's provisions expire January 1, 2019.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1211 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. DEFINITION. In this Act, "department" means the Texas Department of Criminal Justice.

SECTION 2. REQUEST FOR PROPOSALS. (a) The department shall, not later than October 1, 2015, issue a request for proposals to provide medical care to inmates confined by the department. The department shall determine, and specify in the request, the region of the state for which the medical care is to be provided. The inmates for whom care will be provided must be at least 20,000 in number but not more than 30,000, and must include a representative sample of the physical and mental health and custody classifications of inmates.

(b) A response to a request for proposals must be due not later than the 180th day after the date the request for proposals is issued by the department. An entity that on the effective date of this Act contracts with the department to provide health care services under Chapter 501, Government Code, may not respond to a request for proposals under this Act.

(c) A contract awarded in response to a request for proposals must require that:
(1) the department not spend appropriated money to make a payment under the contract without the prior approval of the Legislative Budget Board; and
(2) the provision of medical care begin not later than July 1, 2016.

SECTION 3. EXPIRATION. This Act expires January 1, 2019.

SECTION 4. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. REQUEST FOR PROPOSALS. (a) The department shall, not later than October 1, 2015, issue a request for proposals to provide medical care to inmates confined by the department. The department shall determine, and specify in the request, the region of the state for which the medical care is to be provided. The inmates for whom care will be provided must be at least 20,000 in number but not more than 30,000, and must include a representative sample of the physical and mental health and custody classifications of inmates.

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(c) A contract awarded in response to a request for proposals must require that:
(1) the department not spend appropriated money to make a payment under the contract without the prior approval of the Legislative Budget Board; and
(2) the provision of medical care begin not later than July 1, 2016.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.