

SUBJECT: Creating a legislative committee to address the aging state population

COMMITTEE: Human Services — committee substitute recommended

VOTE: 7 ayes — Rose, Elkins, Hernandez, Hughes, Legler, Naishtat, Walle

0 nays

2 absent — Herrero, Darby

WITNESSES: For — Amanda Frederiksen, AARP; Jim Hine; (*Registered, but did not testify*: Ollie Besteiro, AARP; Anita Bradberry, Texas Association for Home Care, Inc.; Ben Campbell, TORCH; Derek Daniels, Texas Assisted Living Providers Advocacy Group; Paula Johnson and Homer Lear, Texas Silver-Haired Legislature; Sharon Liggett, Texas Assisted Living Association; George Linial, Texas Association of Homes and Services for the Aging; Jason Sabo, United Ways of Texas; (*On committee substitute*:) For — Carlos Higgins, Texas Silver-Haired Legislature; (*Registered, but did not testify*: Tim Graves, Texas Health Care Association)

Against — None

DIGEST: CSHB 610 would create the Legislative Committee on Aging under the Department of Aging and Disability Services (DADS). The committee would be established to study issues relating to the aging population of Texas, including health care, housing, transportation, income, education, and employment needs.

The committee would be composed of two members of the Senate and one member of the public, appointed by the lieutenant governor, and two members of the House of Representatives and one member of the public, appointed by the speaker of the House. Committee members would serve at the pleasure of the appointing official, and the presiding officer of the committee would be appointed by the speaker and the lieutenant governor on an alternating basis. The presiding officer would serve a two-year term expiring February 1 of each odd-numbered year.

The committee would:

- conduct a continuing study of issues relating to the aging population;
- analyze the availability of state and local services and any unmet needs for the aging population; and
- request reports and other information relating to the aging population from the executive commissioner of the Health and Human Services Commission (HHSC), DADS, other health and human services agencies, the attorney general, and any other state agency.

All state agencies and officials would be required to fully cooperate with the committee, and existing staff resources of the Senate or the House of Representatives could be used to assist the committee. The committee could call witnesses and subpoena books, records, documents, or instruments as required.

No later than November 15 of each even-numbered year, the committee would submit a report to the standing committees of each house with jurisdiction of issues related to the needs of the aging population, that would include:

- a summary of the hearings and studies conducted by the committee during the preceding year;
- a statement of findings based on the hearings and studies; and
- recommendations for legislation.

CSHB 610 would allow the HHSC executive commissioner to contract with an entity to:

- conduct local forums throughout the state soliciting input on and discussing policies regarding aging-related issues;
- provide analysis, education, and research services regarding aging-related issues; and
- identify problems encountered by the aging population and develop and recommend solutions.

To be eligible for the contract, an entity would have to be a Texas non-profit organization, representing people who are 60 years of age or older, that has experience conducting local forums and recommending solutions to problems encountered by the state's aging population. The bill would

allow an individual performing duties under the contract to be reimbursed for the reasonable expenses incurred at the same rate as state employees.

CSHB 610 also would establish the Chris Kyker Endowment for Seniors Fund as a special fund in the treasury outside the General Revenue Fund. The fund would consist of money transferred at the direction of the Legislature, grants, gifts, and donations, and income and interest earned on money in the fund. The bill would allow funds to be appropriated only to fund the contract. The comptroller would administer and invest the fund, and the executive commissioner could adopt rules regarding distribution of the funds.

The bill would take effect September 1, 2009, and the lieutenant governor and the speaker would appoint members no later than 30 days after the effective date.

**SUPPORTERS
SAY:**

CSHB 610 would help identify and address the needs of the aging population, a demographic group that is increasing rapidly. The number of Texans age 65 and older is expected to triple from the year 2020 to 2040, from 2.1 million to 6.3 million. According to the Texas State Data Center, services and conditions affecting the elderly population need to be addressed to prepare for the expected increase in demand for services.

Texas needs to prepare the state's infrastructure for the population explosion that will occur with aging baby-boomers, who will not only expand the numbers of the senior population but also will bring with them different expectations than the elderly of the past.

In 2003, the Texas Department of Aging was abolished. Since that time, services for the aging have been provided by numerous agencies, resulting in a lack of focus on needs, identification of trends, and recommendations of legislative and regulatory policy. CSHB 610 would provide this valuable information by creating a legislative committee to focus solely on the issue, helping to avoid a crisis. The state demographer has indicated that the long-term care needs of the increasing aging population are one of the principle challenges confronting Texas and the nation in this century. CSHB 610 would ensure that the state is prepared to meet the challenge.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The committee substitute differs from the bill as filed by adding subch. H to Human Resources Code, ch. 161, which would allow the executive commissioner to contract with an entity to conduct forums and provide recommendations. The subchapter would create the Chris Kyker Endowment for Seniors Fund to fund the contract. The committee substitute also removed language that would have allowed the committee to receive information about rules proposed or adopted by the executive commissioner; review specific recommendations for legislation proposed by the executive commissioner, DADS, another health and human service agency, or the attorney general relating to the aging population; and review the effectiveness of regulatory systems relating to the aging population.