

BILL ANALYSIS

Senate Research Center
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H.B. 2783
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Pediatric acute-onset neuropsychiatric syndrome is a condition characterized by the sudden onset of neuropsychiatric symptoms such as obsessive-compulsive behaviors or severe eating restrictions. It is of ongoing concern that this condition can often go undetected or unreported or be misdiagnosed or dismissed by physicians. These concerns have prompted efforts to make policymakers aware of the need for more information on this condition. H.B. 2783 seeks to support these efforts by establishing the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council to advise the Health and Human Services Commission and the legislature on research, diagnosis, treatment, and education related to the syndrome.

H.B. 2783 amends current law relating to the establishment of the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle E, Title 2, Health and Safety Code, by adding Chapter 119A, as follows:

CHAPTER 119A. PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC SYNDROME ADVISORY COUNCIL

Sec. 119A.001. DEFINITION. Defines "advisory council" to mean the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council established under this chapter (advisory council) for purposes of this chapter.

Sec. 119A.002. ESTABLISHMENT OF ADVISORY COUNCIL. Provides that the advisory council is established to advise the Health and Human Services Commission (HHSC) and the legislature on research, diagnosis, treatment, and education related to pediatric acute-onset neuropsychiatric syndrome.

Sec. 119A.003. APPOINTMENT OF ADVISORY COUNCIL MEMBERS. (a) Provides that the advisory council is composed of 19 specified members and sets forth the composition of the advisory council.

(b) Provides that the member designated by the executive commissioner of HHSC (executive commissioner) serves as an ex officio nonvoting member. Authorizes the member designated by the executive commissioner, in the event of a tie vote among the members of the advisory council, to cast the deciding vote.

(c) Requires each member of the advisory council to be a citizen of this state.

Sec. 119A.004. TERMS; VACANCY. (a) Provides that advisory council members appointed by the lieutenant governor and the speaker of the house of representatives

serve terms that coincide with the advisory council members' terms of office. Provides that the remaining members serve two-year terms.

(b) Requires a vacancy on the advisory council to be filled in the same manner as the original appointment.

(c) Provides that a member appointed to fill a vacancy holds the office for the unexpired portion of the term.

(d) Authorizes each member to be reappointed to serve on the advisory council.

Sec. 119A.005. CHAIR AND VICE CHAIR. Requires members of the advisory council to elect from among the legislative members of the advisory council a chair and vice chair.

Sec. 119A.006. MEETINGS; QUORUM. (a) Requires the advisory council to meet at times and locations as determined by the chair or a majority of the members of the advisory council.

(b) Provides that a majority of the members of the advisory council constitute a quorum.

Sec. 119A.007. ANNUAL REPORT. (a) Requires the advisory council, not later than September 1 of each year, to prepare and submit to the governor, legislature, and HHSC a written report that includes recommendations on certain enumerated actions.

(b) Provides that, notwithstanding any other law, this section, including any action taken under this section to develop or disseminate information or materials, does not create a civil or administrative cause of action or a civil or criminal liability and does not create a standard of care, obligation, or duty that provides the basis for a cause of action.

Sec. 119A.008. COMPENSATION AND REIMBURSEMENT. Provides that a member of the advisory council is not entitled to compensation or reimbursement for expenses incurred in performing advisory council duties.

Sec. 119A.009. SUNSET PROVISION. Provides that the advisory council is subject to Chapter 325, Government Code (Texas Sunset Act). Provides that, unless continued in existence as provided by that chapter, the advisory council is abolished and this chapter expires September 1, 2031.

Sec. 119A.010. APPLICABILITY OF OTHER LAW. Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the advisory council.

SECTION 2. Requires the governor, lieutenant governor, speaker of the house of representatives, and executive commissioner, not later than December 31, 2019, to appoint the members to the advisory council as required by Section 119A.003, Health and Safety Code, as added by this Act.

SECTION 3. Effective date: September 1, 2019.