



Coleman 82nd Regular Session Wrap Up Rep. Coleman Passes 27 pieces of legislation

From the Desk of Representative Coleman:

Thank you for giving me the opportunity to continue to represent you. The 82nd Legislature was my 10th legislative session and 20th year to represent District 147 in the Texas House of Representatives. This was easily the most devastating session of which I've been a part. The Republican supermajority passed a state budget for 2012-2013 that could adversely affect Texans. The Republican budget cuts \$18.3 billion from current state services and fails to fund growth in public education, colleges and universities. It also fails to fund caseload growth for Medicaid services, which children, seniors, pregnant women and individuals with disabilities rely on to access care. Because of this budget, 43,000 fewer Texas students will receive state financial aid for college, including 29,000 fewer students receiving TEXAS Grants. In addition to the budget, some of the most appalling actions of the session were the recurring attacks on women. Whether they were attacks on women's reproductive rights or the way women legislators were treated during the policy process, this behavior is unbecoming of a legislative body and must change.

In the darkness of what was an extremely difficult session, there were a few bright moments; I passed 27 pieces of legislation to improve the quality of life for Texas families.

One of my proudest accomplishments this session was passing legislation to increase access to primary and specialty based care for rural Texans. Before the passage of this legislation, Texas was one of just a few states that still generally prohibited the Corporate Practice of Medicine, which is the direct employment of physicians by non-physician entities. This can be a significant obstacle to recruitment and health care access in rural areas. With the passage of this law, rural hospitals will be able to bring quality physicians into the community, save physicians the cost of opening a practice, and increase access to quality care for Texans living in rural communities. Another one of my most important legislative accomplishments was passing legislation to help prevent youth suicide. By giving schools the option to implement a suicide prevention program and notify parents to intervene if necessary, we can help to save children's lives. After multiple sessions, I passed legislation to prevent the Texas Medical Center, Inc. from using their power of eminent domain to take people's homes. This will assure residents that their homes will not be forcibly taken and help neighborhoods maintain their character. I also passed legislation to protect children by banning the dangerous synthetic drugs known as bath salts as well as legislation to help protect religious freedom.

Included in this mailing are some of the highlights of the bills I successfully passed this session.

Improving Access to Quality Care

- **SB 894/HB 1700** by Senator Duncan and Rep. Coleman was passed and signed by the Governor. This legislation will change the way medicine is practiced in Texas by allowing rural hospitals to hire doctors directly and help ensure that hospitals in rural Texas continue to exist. Believe it or not, Texas is one of just a few states that still generally prohibit the Corporate Practice of Medicine, which is the ability by non-physician entities to employ and control physicians directly. Therefore, hospitals typically contract with physician groups to provide the necessary care at the hospitals. This can be a significant obstacle to recruitment and access to health care in rural areas.

With the passage of this law, doctors will have the choice between hanging up their own shingle or working directly for a hospital. It will also ensure that the thousands of Texans in rural communities have access to quality primary and specialty care.

"This isn't just a rural issue; it's a Texas issue," said Rep. Coleman. "For years I've worked to increase the quality and accessibility of health care for all Texans regardless of whether the area in which they live is urban, rural, or somewhere in between. This law, by improving quality and access in rural areas, is a reflection of that commitment."

- **HB 1566, HB 1567, and HB 1568**, authored by Rep. Coleman and sponsored by Sen. Gallegos, allows the Commissioners Court of all Texas counties, the Commissioners Court of Harris County, and the Harris County Hospital District to directly employ physicians.
- **HB 3197**, authored by Rep. Coleman and sponsored by Sen. Deuell, creates a pilot program at state supported living centers to implement a model of operation that is centered around individuals served. State supported living centers are residential facilities that care for people with disabilities. Recently, some of these centers have struggled with quality of care issues due to allegations of abuse and neglect paired with staff shortages. These problems highlight the need for long lasting systematic change. HB 3197 would create a model that is focused on person centered care, establish a stable and qualified workforce by involving staff to address the root causes of issues, and employ continuous quality improvement processes to provide the best care.
- **HB 2229**, authored by Rep. Coleman and sponsored by Sen. Ellis, puts into statute and makes permanent the Texas HIV Medication Advisory Committee which provides important input on the medication needs of low income patients with HIV.
- **HB 2312** authored by Rep. Coleman and sponsored by Sen. West creates a statewide sickle cell program to provide education to those who have or are at risk of transmitting sickle cell disease.
- **HB 3336**, authored by Rep. Coleman and sponsored by Sen. Deuell, includes information on pertussis in the educational materials provided to the parents of newborns about this potentially deadly disease.
- **HB 2299**, authored by Rep. Coleman, would have continued the Women's Health Program, which provides a variety of preventive health and family planning services to low income women. Some of the language in HB 2299 to continue this essential program passed as a rider in the state budget.

Safeguarding Our Children

- Suicide is the third leading cause of death for adolescents age 15-25 and the sixth for children age 5-15. Rep. Coleman made it a legislative priority to help prevent this tragic loss of life. One of the most effective ways to help prevent suicide is to recognize major behavioral changes and emotional issues early on and then take the necessary steps to prevent a bad outcome. Rep. Coleman authored **HB 1386**, sponsored by Sen. Ellis, which will allow school districts to implement a suicide prevention program to recognize these warning signs and notify parents to intervene if necessary. This legislation will serve as an early warning sign to inform parents of changes in their child's behavior which may indicate that he or she needs assistance.

"This bill is a step in the right direction and something we can build on in the future," said Rep. Coleman. "We've heard the tragic stories of young people who have taken their own lives after suffering from emotional anguish. I watched close friends go through the heartbreaking experience of losing their child to suicide. I know the hurt I felt for them, and for the pain their son suffered. My thanks goes out to Mica Mosbacher, who serves on the UH System Board of Regents for assisting us with this legislation, and for her work on the tolerance sculptures along Allen Parkway to promote Houston's diversity."

- **HB 2118**, authored by Rep. Coleman and sponsored by Sen. Estes, bans the dangerous synthetic drugs known as "bath salts." The bill also bans similar chemical structures of the drugs to prevent manufacturers from skirting around the law by slightly modifying the formula. These drugs are currently sold legally at convenience stores, head shops, and over the Internet, and they can cause paranoia, hallucinations, psychosis, and even death. Rep. Coleman was prompted to file this legislation after a Texas man killed himself after consuming the legal drug.

"People think that these drugs can't be that bad for you because they're sold over the counter," said Rep. Coleman. "These drugs are a serious public health threat to anyone who consumes them. I'm glad the Legislature worked swiftly to address this issue and get these drugs off our shelves."

- **HB 945**, authored by Rep. Dukes and Rep. Coleman, will address disproportionality within the child welfare, juvenile justice, mental health, and education systems and help the state to better address the issue.

Preserving Property Rights in Houston

Rep. Coleman passed legislation to protect Houston neighborhoods. Rep. Coleman authored **HB 3198** to repeal the Texas Medical Center, Inc.'s power to take single-family residences and multi-family residences of eight or fewer units. Rep. Coleman amended the language of HB 3198 to **SB 18**, the Governor's eminent domain legislation which passed and was signed by the Governor.

Prior to this legislation, several Houston neighborhoods surrounding the TMC, Inc. were threatened with extinction. In 2005, a Houston resident approached Rep. Coleman about the challenges the Central City neighborhood faced with the encroachment of the TMC, Inc. The tipping point was TMC, Inc.'s use of eminent domain to expand their administrative campus. TMC, Inc. built a 500-car multi-story parking garage that caused heavy traffic, light pollution, and obstructed views in a residential neighborhood. Over the interim, Rep. Coleman met with board members and staff of TMC to come to a mutual agreement on language relating to the eminent domain power of TMC, Inc.

"After years of working on this issue, I'm glad that interested parties have come to an agreement and that area residents don't have to worry about their homes being forcibly taken," said Rep. Coleman.

Protecting Religious Freedom

HB 1278, authored by Reps. Coleman, Hochberg and Riddle, and sponsored by Sen. Seliger, will protect religious freedom. HB 1278 prohibits a property owners' association (POA) from stopping a resident from displaying a religious item on the door of his or her home. Rep. Coleman filed this legislation after a POA threatened a Houston couple with a hefty recurring fine if the couple didn't take down their mezuzah, which is required to be posted by their Jewish faith.

"I filed this bill to extend religious freedom in situations where it may not exist," said Rep. Coleman. "In this situation it was very clear that this couple was singled out because of their faith. However, this bill will protect individuals of all faiths. Thanks to this family's courage and willingness to share their story, other Texans will not have to go through a similar experience."

Higher Education

- **HB 1000**, by Rep. Branch and Rep. Coleman, creates a formula-based distribution system that follows a model for all major university funding, including the Research Development Fund. This bill also ensures a minimum distribution to all universities that qualify for the fund. Last session, Rep. Coleman joint authored legislation allowing the University of Houston, as well as six other public universities, to compete for a pool of state funds if they can attract major research grants, major endowment gifts, and top research faculty and staff. Although last session's bill and amendment provided criteria for eligibility for the funds, neither established a method to distribute these funds. Rep. Coleman and Sen. Ellis originally authored **HB 2115/SB 1365** to establish the distribution method for these funds. After working with UH and other universities across the state, HB 1000 passed as the compromise to distribute the funds to our state's emerging research universities.
- **HB 3331** by Rep. Coleman, allows social work faculty to continue to teach, conduct research, and publish scholarly articles without a social work license, as they have always done in almost all fifty states. Rep. Coleman added the language of HB 3331 to **HB 1797** by Rep. Naishtat, which passed.
- **SB 528/HB 1318**, by Sen. Huffman and Rep. Coleman, eliminates the requirement for the University of Houston System Board of Regents to meet each year during the month of April, giving UH flexibility.

Improving Local Government Efficiency

The County Affairs Committee has jurisdiction over all matters pertaining to counties, regional councils of governments, other units of local government and the Commission on Jail Standards. As the Chairman of the County Affairs Committee, Rep. Coleman authored and passed several bills that will improve the effectiveness and efficiency of these entities.

- **HB 2160**, authored by Rep. Coleman and sponsored by Sen. West, requires Regional Councils of Governments to offer a non-voting ex-officio membership to a member of the Legislature that represents the region of the Council. This will assist legislators in developing good public policy because Regional Councils of Governments assist counties with essential services.
- **HB 3588/ SB 1243**, companion bills by Rep. Coleman and Sen. Ellis, authorize county officers, district attorneys, and criminal district attorneys to obtain liability coverage from the intergovernmental risk management pool instead of obtaining a surety bond, thus helping these county officials obtain coverage before assuming office.

- **HB 1694**, authored by Rep. Coleman and sponsored by Sen. West, updates several outdated provisions concerning county purchasing, and removes the option of a jail penalty when purchasing agents violate purchasing procedure.
- **HB 2945/ SB 1233**, companion bills by Rep. Coleman and Sen. West, clarify the roles and responsibilities of local governments and authorize county officials to provide more effective and efficient services. This bill affects the collection of fees by county officials and increases the number of counties that can participate in the Countywide Polling Place Program.
- **HB 2313/SB 1906**, companion bills by Rep. Coleman and Sen. Wentworth, allow counties and municipalities to post notice of agendas more efficiently and allow cities to post notice of meetings electronically.
- **SB 1687**, authored by Sen. Ellis and sponsored by Rep. Coleman, will give the Texas Commission on Jail Standards information on jail staff turnover in order to improve its oversight role and identify developing issues before they become more serious.
- **HB 2315**, authored by Rep. Coleman and sponsored by Sen. Deuell, will provide some relief to counties that are required by law to provide indigent healthcare and stop discouraging these counties from financing necessary capital improvements.
- **HB 2947**, authored by Rep. Coleman and sponsored by Sen. Shapiro, adds hospital districts to the entities that are protected from the public disclosure of sensitive information, ensuring that hospitals can be confident that sensitive information will not be made public.
- **HB 2826**, by Rep. Murphy and Rep. Coleman, increases the City of Houston's ability to prevent the drilling of ground wells on property with contaminated water, while at the same time preserving the rights of neighboring well owners and public entities to participate in the municipal setting designation process.
- **HB 3275**, authored by Rep. Coleman, addresses tax increment financing zones, which have been widely used in Houston to revitalize communities through public improvements. This language was passed in **HB 2853** by Rep. John Davis.

Moving Forward

Legislation that does not pass is sometimes equally as important to the policy debate as those that did. Rep. Coleman believes that all Texans deserve equal protection under the law and filed several bills to protect the rights of LGBT Texans. These include legislation to extend the affirmative defense of age appropriate dating to LGBT teenagers, remove unconstitutional language from the books that says homosexuality is a criminal offense, add transgender Texans to those covered by the state's current hate crime law, and a resolution to repeal the ban on same-sex marriage and civil unions.

Representative Coleman and Senator Ellis also filed legislation to implement the Patient Protection and Affordable Care Act (PPACA) in Texas. This legislation would have created a health insurance marketplace in Texas and updated and conformed state law with PPACA provisions that took effect in 2010. The health insurance marketplace created under this legislation would have created a robust and transparent health insurance exchange and made quality, affordable coverage options available to Texans and small businesses.

Although these proposals did not pass this session, Rep. Coleman will continue to push for these necessary changes, and he knows that, if history is the judge, it is only a matter of time. As Dr. Martin Luther King, Jr. said, the arc of the moral universe is long, but it bends towards justice.