

81st Regular Session of the Texas Legislature has Ended Rep. Coleman Successfully Passes 31 Pieces of Legislation

During the 81st Regular Session, Rep. Garnet F. Coleman successfully passed 31 pieces of legislation to improve health care for Texas families, improve the quality of higher education in our state, address Ike damage, protect the environment, safeguard our children, reform our criminal justice system, make county government more effective and efficient, and promote economic development in Houston.

From the Desk of Representative Coleman:

Thank you for giving me the opportunity to continue serving you in the Texas House of Representatives.

One of my proudest accomplishments this session was passing legislation that will allow public hospitals in rural Texas to hire physicians directly. Believe it or not, Texas hospitals are currently not allowed to employ doctors directly. Consequently, physicians are burdened with the cost of opening their own practice, resulting in a shortage of physicians in many parts of the state. The statutory changes made this session which allow for the direct employment of physicians by certain public hospitals, will increase access to hospital based primary care and specialists for much of rural Texas, and save physicians the cost of opening a practice. **[Sadly, upon the completion of this document, the Governor vetoed this legislation. Additional information on the veto will follow]**. I was pleased to joint-author passing legislation that will let the University of Houston compete for state funds to achieve tier one status. The establishment of more top tier research institutions in Texas is something I have long advocated for. I also secured funds for Houston-area institutions of higher education to cover damages incurred by hurricane Ike.

Along with our victories, came some disappointments as well.

I authored and worked extensively on legislation relating to the Children's Health Insurance Program (CHIP), which would have insured 80,000 Texas children from working families. Although this legislation passed out of the House of Representatives with bipartisan support, unfortunate action by the Governor, conservative Republicans, and Senate leaders caused this bill to die in a Senate committee. I also filed legislation to prevent the Texas Medical Center, Inc. from using their power of eminent domain to take private homes. Although my legislation did not pass, I made sure that language which would have established a constitutional right for TMC, Inc. to take residential property was removed from a constitutional amendment. I am also disheartened by the failure of legislation that I authored which would have protected religious freedom, to be called for a vote on the Senate floor. Other important legislation that did not pass this session included bills that would have ensured dignity for all students, helped working families, and provided necessary protections to Texas workers.

Below are some of the highlights of the bills I successfully passed this session. Legislation that does not complete the legislative process can be equally important to the policy debate as legislation that does pass. In the coming days I will send you additional information on legislation that unfortunately did not make it, which I will continue to work on in the future.

Fighting for Better Health Care for All Texans

Rep. Coleman sponsored **SB 1500** by Senator Duncan, which allows certain rural hospitals throughout Texas to employ physicians. Currently, Texas is one of the few states where most doctors must be self-employed, even if they work at hospitals. Because physicians must set up their own practice in order to work in rural Texas, these parts of the state report difficulty in attracting physicians to work in their communities. This is partially due to the high costs of paying back student loans and the inability to afford the high overhead which comes with maintaining a private office - if they work for a hospital they don't have to worry about that overhead. Major portions of SB 1500 were amended by Sen. Duncan into HB 3485, authored and passed by Rep. Coleman. Included was language that will allow nearly 100 additional public hospitals in counties of less than 50,000 to employ doctors. This important legislation will increase access to both hospital based primary care and specialists for much of rural Texas. **[Unfortunately, just moments ago, we were informed by the Governor's office that Governor Perry vetoed HB 3485, which included similar language from SB 1500].**

Rep. Kolkhorst and Rep. Coleman joint-sponsored **SB 7**, authored by Sen. Nelson. SB 7 will improve the quality, safety, and efficiency of Medicaid and the Children's Health Insurance Program in Texas. This bill will update health information technology to simplify the claims process and prevent errors. Portions of SB 7 were amended to **SB 203**, authored by Sen. Shapleigh, and sponsored by Rep. Coleman.

- **HB 4506**, authored by Rep. Coleman, called for the mandatory screening of newborns for sickle-cell trait. This will allow parents to make healthy decisions for their children, and will also allow the Department of State Health Services to screen for other disorders they deem necessary. This bill was successfully amended to HB 1672, which passed, and was authored by Rep. Crownover.
- **HB 2965**, authored by Rep. Coleman, updates the charge for medical records to reflect hospitals' current practice of providing medical records electronically. The language of this bill was amended to HB 4029, which passed, and was authored by Rep. Marquez.
- **SB 1058/HB 4504**, companion bills authored by Sen. Uresti and Rep. Coleman, enable the legislature to better assess patient safety and the effectiveness of state boards that oversee health care professionals. SB 1058 passed and was sponsored by Rep. Coleman.
- **SB 203**, which passed, was authored by Sen. Shapleigh and sponsored by Rep. Coleman. This bill will help reduce rates of infection at health care facilities by requiring the facilities to report the incidence of surgical site infections.
- **SB 532/HB 2709**, companion bills authored by Sen. Patrick and Rep. Coleman, improve access to affordable health care services, assure continuity of care, and strengthen the health care team through the establishment of more retail clinics. SB 532 passed and was sponsored by Rep. Coleman.
- **SB 1476/HB 3469**, companion bills authored by Sen. Ellis and Rep. Coleman, will increase eye and vision services at community health centers by allowing these centers to recruit and retain optometrists by offering these doctors health insurance and other benefits only available to employees. SB 1476 passed and was sponsored by Rep. Coleman.
- **HB 3012**, authored and passed by Rep. Coleman and sponsored by Senators Ellis, will educate and inform food handlers about food safety and will enable them to adopt best practices to protect the public.

Improving the Quality of Higher Education

Texas currently has only two public universities classified as tier one institutions even though we have the second highest population in the nation. Texas students deserve more nationally respected options. **The Legislative Study Group, a House Caucus that Rep. Coleman chairs, released a report in May 2007, highlighting the need for more institutions of tier one status across Texas.**

- **HB 51**, which passed, was authored by Rep. Branch and joint-authored by Rep. Coleman. This bill will let the **University of Houston**, Texas Tech University, the University of North Texas, the University of Texas at Arlington, the University of Texas at Dallas, the University of Texas at San Antonio, and the University of Texas at El Paso to compete for a new pool of state funds if they can attract major research grants, major endowment gifts, and top research faculty and staff.
- HJR 14, authored and passed by Sen. Duncan, will create the National Research University Fund as an endowed permanent source of funding to enable these emerging research universities to achieve tier one status.

"The development of more top tier universities will open up seats of excellence available for Texas students, and will make our state more nationally and globally competitive," said Rep. Coleman.

Rep. Coleman authored and passed **HB 2954**, **HB 4501**, and **HB 2961**, which will help improve student infrastructure at **Texas Southern University** and the **University of Houston**, by allowing a small increase in student fees that were supported by the students of the institutions. **These bills will improve the physical and service infrastructures to student services centers at both universities, and will support student athletics at TSU.**

Addressing Ike Damage

Hurricane Ike caused significant damage to our state and to our institutions of higher education, including **TSU** and the **University of Houston**. These institutions should be focused on providing the best education to our students, and should not be burdened with costs incurred by natural disasters. This session, Rep. Coleman worked with Speaker Eiland and Chairman Pitts to ensure that funding would be allocated to these universities, along with other Houston area institutions of higher education and UT Medical Branch at Galveston, to cover damages and loss of revenues as a result of natural disasters. **HB 4586** proposes exact funding amounts for some institutions for repairs not covered by FEMA or by insurance.

Included in the bill is:

- \$13,450,000 for Texas Southern University,
- \$7,339,000 for the University of Houston System Administration,
- \$1,507,670 for Houston Community College,
- \$1,000,000 for the University of Texas Health Science Center at Houston,
- \$150,000,000 for UT Medical Branch at Galveston.

Texas Windstorm Insurance Association (TWIA)

The Texas Windstorm Insurance Association (TWIA) serves as the insurer of last resort for residential and commercial property owners of Texas. Following Hurricanes Katrina and Rita in 2005, the number of property owners insured through TWIA increased exponentially, as other insurers left the market, making it the only option for many residents. This increase is primarily due to the fact that most of the state's largest private insurers stopped writing windstorm policies for the Texas Gulf Coast. Rep. Coleman authored **HB 3015** to address the potential loss of general revenue to the state by funding catastrophic storm losses through the issuance of pre-event and post-event public securities issued by the Texas Public Finance Authority. Rep. Coleman's push for the use of bonds resulted in bond language being included into HB 4409, authored by Rep. Taylor, which passed.

Working Towards a More Sustainable Environment

Rep. Coleman also sponsored and passed **SB 129**, authored by Sen. Ellis. This bill will help increase the availability of hybrid and electric vehicles throughout the state of Texas. The legislation allows Neighborhood Electric Vehicles (NEVs) to drive at higher speeds and on more roads throughout the state, so Texans in urban and suburban areas can take their NEVs to more destinations in their neighborhoods. The bill also will help the development of three-wheeled enclosed hybrids, by allowing Texans to drive three-wheeled enclosed hybrids with a regular driver's license and in HOV lanes. It also clarifies existing law stating that Texans who drive these vehicles do not need to wear a helmet while driving them.

As he did last session, Rep. Coleman authored sweeping solar energy legislation, **HB 3706**, that would have created millions in incentives to make solar energy technology more affordable for Texas homeowners and businesses. It would have also allowed Texans to own a piece of their energy future by allowing them to get credit on their electric bills for energy they sell back to the grid. Although this bill did not pass, there were multiple bills filed this session to address this issue, as opposed to just the one bill filed last session by Rep. Coleman. This is an indicator of progress on solar energy legislation. More detailed information on solar legislation will be included in a coming update.

“Solar is good for our environment, creates jobs and helps cut down on utility bills,” said Rep. Coleman. *“It just makes sense for the Texas Legislature to invest in solar.”*

Improving County Efficiency throughout the State

- **HB 3485**, authored by Rep. Coleman, was passed as an omnibus bill that allows counties to administer much needed county services and duties to the general public, along with allowing for the administration of county assistance districts. This bill also, included an amendment that helps small counties recruit new doctors to their area. **Unfortunately, the Governor vetoed this important legislation.**
- **SB 1554**, which passed, was authored by Senator Gallegos and sponsored by Rep. Coleman. This bill allows a county commissioner to delegate responsibility for the receipt of fees, commissions, and costs, as well as the responsibility for signing the required reports.

- **SB 2468**, which passed, was authored by Sen. Gallegos and sponsored by Rep. Coleman. This bill will help prevent undue influence from former local and county officials or employees in Harris County by prohibiting them from lobbying in their former workplace for two years.
- **HB 3004**, authored and passed by Rep. Coleman, allows counties to enforce state standards for animal shelters and permits civil penalties for violations of such standards.

Safeguarding Texas Children

- **HB 3385**, authored and passed by Rep. Coleman, will protect our children by allowing Amber Alerts to be issued for children in danger of becoming victims of sexual assault. Need for this bill was brought to our attention after officials in Tyler, TX were unable to issue an amber alert after a 23 year-old convicted felon persuaded an 11-year old girl to go with him to Mexico. This bill will guarantee that Texas utilizes resources already in place to ensure that children in danger safely return home.
- Rep. Coleman attached **Rider 32** to the Department of Family Protective Services portion of the Appropriations bill to direct the department to maximize federal funding for kinship guardianship programs, which improve the stability of displaced children.

Promoting Economic Development in HD 147 & the City of Houston

- **HB 4827 & HB 4828**, authored and passed by Rep. Coleman, create Harris County Improvement Districts No. 20 & 21 respectively, which will promote economic development throughout the **Greater Palm Center** and **South Park** areas.
- **HB 3009**, authored and passed by Rep. Coleman, consolidates two management districts in order to save money and improve efficiency.

Reforms to the Criminal Justice System

- **HB 3748**, authored by Rep. Coleman, would provide law enforcement officers with continued training in crisis intervention techniques meant to deescalate situations that involve individuals with mental impairments. The language of this bill was attached as an amendment to HB 3389, which passed.
- **HB 3005**, authored by Rep. Coleman will allow juvenile probation officers to request involuntary testing of juveniles suspected of exposing them to certain diseases.

Protecting the Rights of Texans

- **SB 52**, which passed, was authored by Sen. Zaffirini and sponsored by Rep. Coleman. This bill increases the penalties for illegally parking in a parking space reserved for Texans with disabilities and gives peace officers more tools to prevent the illegal use of disabled parking placards.
- **HB 2972**, authored and passed by Rep. Coleman, will speed up the survey and licensing process for nursing homes and assisted living facilities.

- **HB 3739**, authored by Rep. Coleman, gives individuals who are denied access to visit family members' graves recourse by providing a penalty to those who interfere with their access. The language of this bill was amended to **HB 1468**, authored by Rep. Chisum, and was sent to the Governor.

In the coming days, we will send a detailed update on legislation important to Texas families that although did not pass, but helped to shape the policy debate. Additionally, the coming update will include information relating to funding allocated to Houston area institutions of higher education that were not included here.