



Senate Health and Human Services Committee
March 23, 2015
SB 200

Chairman Schwertner and members of the Committee, I am Eileen Garcia with Texans Care for Children. Texans Care for Children is a statewide nonpartisan, nonprofit advocacy organization dedicated solely to improving outcomes for Texas children through policy change. We look to our broad base of community-based partners throughout the state -- who together represent thousands of Texas children-- to inform our work and help us in developing our legislative agenda. We also co-convene various stakeholder groups which bring together a wide range of organizations, families, and advocates around our areas of focus, which are: early opportunities; infant, child and maternal health; children's mental health; child welfare; and juvenile justice.

Texans Care for Children urges you to not pursue a massive bureaucratic overhaul at this time. We appreciate the time that has gone into the review of our agencies and applaud the numerous possible important improvements that have been identified. We appreciate the quality measures that SB 200 champions such as increased public access to state agency decision-making through video-streaming of council meetings and improved health care delivery by requiring that managed care organizations fully integrate behavioral health into primary care. However, we ask that the numerous critical reforms envisioned in the Sunset reports and the other Sunset bills themselves not be impeded by the monumental task of building a new consolidated health and human services mega-agency.

The Sunset Commission reports highlighted many areas of needed improvement and reform that would not be accomplished by consolidation and in fact would likely be delayed due to the distraction of consolidation. As the Health and Human Services Commissioner himself noted in public testimony, **many of the suggested reforms are improvements that the agencies could currently be undertaking** without a restructure. Much of what indeed impedes coordination, alignment of services, and program efficiencies is due to restrictions within individual social service programs. Rehousing programs within new offices or changing agency hierarchy will not change the fact that individual program reporting, eligibility and renewal processes vary widely among services that target similar (and sometimes the same) populations.

Not only will consolidation not answer the thrust of concerns raised through the Sunset review process, consolidation would result in additional challenges for our social service programs. The creation of one unified agency means the dilution of population-focused leadership and expertise. The new structure would house many disparate programs and through functional divisions align various operations that are only similar on paper, not in reality (e.g. regulation of food safety brought under the same division as radiation waste control and regulation of child care homes). The range of expertise needed by division heads and the new single executive commissioner to adequately serve the system is so broad in scope that it would make attracting the right candidates extremely difficult. The positions will be those of general administrators as opposed to experts in the populations being served.

Also problematic within the new proposed structure is **decreased transparency**. Recent contracting scandals have made clear that our state agencies require more, not less, transparency. Concentrating so much power and authority within one executive commissioner, while also dissolving advisory groups and removing the state's established structure of having agency councils, will only make ongoing monitoring of state practices more difficult. The social service mega-agency that will be in place will not be one that allows for ready access to information when various functions and facets of the same programs and services are splintered into functional units. And while we support the purview of the Office of the Ombudsman, we recommend a reconsideration of its structure. We believe strongly that an ombudsman appointed by and under the head of the very agency that the ombudsman is charged with monitoring will decrease the effectiveness of that office.

Recommendations:

- Do not pursue consolidation until the agencies have been reformed. A massive reorganization will delay implementation of the most critical reforms our agencies should be pursuing.
- In whatever final form our social services system takes, it should be one that embraces stakeholder input. While there may be some inherent inefficiency to allowing for public input there is no other way to ensure our agencies are meeting the needs of Texans. Allowing the commissioner to decide what areas of functioning merit advisement (within broadly defined categories provided in SB 200) and whom should provide advisement eliminates the very purpose and strength of advisory councils appointed by the Legislature. We ask that dysfunctional or outdated advisory groups be eliminated, but that an across the board elimination not be instituted.
- We propose that the Office of the Ombudsman be independent from the agency it is charged with monitoring and be housed under the Governor's office and/or report directly to the Legislature.

In short, we believe consolidation will not only distract from fulfilling critical health and human service missions, it will create more obstacles for fulfilling the state's obligation to its people. Creation of this new bureaucracy will divert attention and resources away from fixing the real problems identified by Sunset, delaying solutions, and dragging these continued problems into a new structure. Thank you for your time and commitment and consideration of our recommendations.

Respectfully,

Eileen Garcia
Chief Executive Officer
Texans Care for Children
512.473.2274
egarcia@txchildren.org
www.txchildren.org