

Commission on State Emergency Communications

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Agency at a Glance

The mission of the Commission on State Emergency Communications (Commission) is to preserve and enhance public safety and health in Texas through reliable access to emergency telecommunications services, including 911 service, and poison prevention, treatment, and education services. The Commission's role in providing 911 service is limited to the delivery of calls to public safety answering centers and does not include the answering of the call or dispatch of emergency services. To achieve its mission, the Commission carries out the following two key activities.

- Contracts with the 24 Regional Planning Commissions (RPCs) to provide 911 service to about one-third of the population in Texas in mostly rural areas. Emergency Communications Districts and Municipal Emergency Communications Districts provide 911 service to the rest of the state.
- Administers the Texas Poison Control Network (TPCN), including funding and overseeing the activities of the State's six regional poison control centers that provide treatment information through a toll-free number to anyone suspecting a poisoning or toxic exposure.

Summary

The State's current 911 system, designed to support home-based, analog phones, is not keeping pace with evolving digital communication technologies used by the public. Today, the public expects, but is unable to reach a 911 operator by sending a text, video, or instant message. In response to these needs, a new 911 system, called Next Generation 911 (NG911), is evolving in Texas and throughout the country. In Texas, local emergency communications entities are beginning to develop and implement regional digital 911 networks, but a state-level NG911 network is needed to provide secure and reliable interconnectivity among all the networks. The Sunset Commission identified the need for the development of a state-level NG911 network, but found the Commission lacks clear authority and direction to coordinate, as well as access to the technical expertise to execute and manage the network.

The Commission lacks clear authority to coordinate the development of a statewide digital Emergency Communications System.

The Sunset Commission also considered the State's poison control network, but at the time of the review, administration of the network had not fully

transferred from the Department of State Health Services to the Commission. The Sunset Commission recognized that with the State's need for agencies to reduce costs, the transfer presented an opportunity to evaluate and determine the most cost-effective and efficient structure for the network and report these findings to the 82nd Legislature.

Issue 1

Texas Has a Continuing Need for the Commission on State Emergency Communications, Although the Commission Lacks Adequate Tools to Oversee an Evolving Emergency Communications System.

The State's 911 system provides a critical, life-saving function in times of individual crisis or major disaster. The Commission's role in the provision of 911 service is limited to rural areas of the state not covered by Emergency Communications Districts or Municipal Emergency Communications Districts. While this mix of state and local 911 service provision works well for the state, evolving digital technology necessitates the creation of a statewide, interconnected Emergency Communications System, sometimes called NG911. Although the Commission has started planning for the establishment of and transition to this System, it does not currently have the authority or the expertise available to fully implement it.

Recommendations

Change in Statute

1.1 Continue the Commission on State Emergency Communications for 12 years.

This recommendation would continue the Commission as an independent agency responsible for the provision of 911 and poison control services statewide for 12 years.

1.2 Authorize the Commission to coordinate the development and implementation, and provide ongoing management of an interconnected state-level internet protocol-based emergency communications network.

This recommendation would clarify the Commission's authority to coordinate and lead the development and implementation of a state-level internet protocol-based emergency communications network, including facilitating the migration to an internet protocol-enabled network for emergency communications and ensuring interconnectivity among the various 911 providers. The Commission's 12-member policy body, which includes representation from each of the three types of emergency communications entities in Texas, as well as ex officio representatives from the Department of Information Resources and the Public Utility Commission of Texas, would be responsible for setting policy and overseeing agency involvement in the development and implementation of the network.

1.3 Require the Commission to establish an advisory committee for the development, implementation, and management of the various aspects of the State's Next Generation Emergency Communications System.

Establishing this advisory committee in statute would ensure its continued use and operations as the State's Next Generation Emergency Communications System evolves. To ensure adequate expertise and a cross-section of stakeholders, the advisory committee would include, at a minimum,

technical representation from each of the three types of 911 entities in the state, including RPCs, Emergency Communications Districts, and Municipal Emergency Communications Districts. To ensure appropriate accountability and operations, the advisory committee would be appointed by the Commission's policy body with input from appropriate groups.

1.4 Apply the standard Sunset across-the-board requirement for the Commission to develop a policy regarding negotiated rulemaking and alternative dispute resolution.

This recommendation would ensure that the Commission develops and implements a policy to encourage alternative procedures for rulemaking and dispute resolution, conforming to the extent possible, to model guidelines by the State Office of Administrative Hearings. The Commission would also coordinate implementation of the policy, provide training as needed, and collect data concerning the effectiveness of these procedures. Because the recommendation only requires the Commission to develop a policy for this alternative approach to solving problems, it would not require additional staffing or other expenses.

Issue 2

The Commission Lacks Clear Direction and Sufficient Measures Necessary to Evaluate and Best Structure the Texas Poison Control Network.

The Texas Poison Control Network consists of six regional poison control call centers that provide poison information to the public and healthcare professionals through a toll-free number. At the time of the Sunset review, administration of TPCN was transferring from the Department of State Health Services to the Commission on State Emergency Communications. The Sunset Commission determined the Commission lacked clear direction to evaluate and determine the most cost-effective and efficient structure for the network, and that the current key performance measures are not adequate to fully evaluate TPCN's operations.

Recommendations

Management Action

2.1 Direct the Commission to evaluate TPCN's current structure, determine any necessary changes, and report its findings to the Legislature.

Once the Commission assumes full responsibility for administration of TPCN, it should evaluate the network's structure to determine the number and location of centers that would most cost-effectively meet the State's needs, and to report its findings to the Legislature by February 7, 2011. As part of its evaluation, the Commission should seek advice and recommendations from the Poison Control Coordinating Committee since the committee members have extensive experience working with TPCN staff and host institutions, and can provide valuable expertise regarding the network's operations. The Commission should consider all costs related to restructuring TPCN, staffing needs, and regional differences across the state. The Commission should also consider the following factors when evaluating TPCN.

- The American Association of Poison Control Centers certification and accreditation requirements and staffing guidelines.

- The support and resources the host institutions provide, including indirect costs, staff training and education, and other in-kind contributions.
- Costs related to consolidating centers, such as the possible need for larger facilities to accommodate additional call takers and operational expenses the host institutions may not provide.
- Regional differences throughout the state, including available resources, and varying populations and potential hazards.
- The needs of all entities using poison center services, including corporations, emergency medical services, state universities, and state and federal agencies.
- Staffing needs for the network, including the number of, need for, and availability of qualified staff.
- Other analyses of the structure and functions of poison centers, both in Texas and throughout the country.

2.2 The Commission should maintain internal program-related performance measures for TPCN.

The Commission should work with the Poison Control Coordinating Committee to maintain performance measures that reflect key aspects of the poison centers' services. In addition to its current two key performance measures related to the network, the time the network is operational and total calls received, the Commission should maintain, at minimum, the following measures:

- call type;
- number and location of public education activities;
- number of professional education presentations; and
- number of completed research projects.

Additionally, the Commission should work with the Legislative Budget Board to ensure its key performance measures accurately reflect not only call volume, but other key aspects of TPCN.

Fiscal Implication Summary

Two of the recommendations could have a fiscal impact to the State, but the amount of the impact would depend on how the recommendations are implemented as discussed below.

- **Issue 1** – While the recommendations clarify the Commission's authority to coordinate the development and management of the State's Next Generation Emergency Communications System, the Commission, through its legislative appropriations request, and the Legislature, through appropriations decisions, will set the pace for actual development and implementation of the System.
- **Issue 2** – The State could realize cost savings if the Legislature decides to restructure the Texas Poison Control Network as a result of the Commission's evaluation results.