

SUNSET ADVISORY COMMISSION

COMPLIANCE REPORT

Implementation of 2015 Sunset Recommendations



2016–2017
85TH LEGISLATURE

SUNSET ADVISORY COMMISSION

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**IMPLEMENTATION OF
2015 SUNSET RECOMMENDATIONS**

COMPLIANCE REPORT

JANUARY 2017

85TH LEGISLATURE

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SUMMARY

SUMMARY

An important element of the Sunset process is a check on agencies' progress in implementing Sunset recommendations from the previous legislative session. The Legislature expects agencies to effectively implement both the management recommendations of the Sunset Commission, as well as the statutory provisions of an agency's Sunset bill. The Sunset Act requires the Commission to report the findings of the implementation review.

Overall, Sunset staff and the State Auditor's Office (SAO) reviewed a total of 274 provisions requiring action by the agencies reviewed for the 84th Legislature. Agencies fully implemented approximately 56 percent of these changes, with most of the remainder in progress. While this percentage is lower than most legislative cycles, the sheer volume of recommendations related to the state's vast health and human service system resulted in timing and resource issues for the system and was not unexpected.

The chart on page 3, *2015 Sunset Legislation and Management Recommendations Implementation by Agency*, shows the progress of each agency in implementing its changes. Key changes implemented as a part of the Sunset process include the following.

- Consolidating all client services from across the health and human services system and further reorganizing the system along functional lines, to be completed September 1, 2017, to better address ongoing problems of fragmentation, misaligned or poorly focused programs, and blurred accountability. This reorganization abolished the Department of Assistive and Rehabilitative Services (DARS) in 2016 and will abolish the Department of Aging and Disability Services (DADS) in 2017, consolidating their functions into the Health and Human Services Commission (HHSC). The reorganization will allow clients to more easily navigate this complex system to get the services they need.
- Instituting basic best practices, such as establishing clear investigative criteria and timelines, at the Health and Human Services Commission Office of Inspector General (OIG) to ensure fair, defensible processes and results at this once broken organization.
- Restructuring the Department of State Health Services (DSHS) to focus on its primary public health responsibilities by deregulating eight regulatory programs and transferring 17 others to the Texas Department of Licensing and Regulation (TDLR) and Texas Medical Board, to be completed November 2017.
- Removing unnecessary burdens on Department of Family and Protective Services (DFPS) caseworkers to improve retention and increase the time they spend with children and families.
- Transferring to the Texas Workforce Commission (TWC) services to help people with disabilities find jobs, a function previously housed at DARS.

In 2015, the 84th Legislature passed 13 of the 17 bills containing the Sunset Commission's statutory recommendations. Sunset staff assessed each agency's efforts to implement the required statutory changes, a total of 142 provisions. In addition to statutory provisions, Sunset staff assessed agency efforts to implement 94 management recommendations for improvement of agency operations, primarily those related to health and human services agencies. SAO evaluated the self-reported implementation of 43 management recommendations related to agencies outside the health and human services arena.

Detailed information on the status of each statutory or management provision reviewed by Sunset staff that is in progress, partially implemented, or not implemented, is provided for each agency in the following exception charts. The Auditor's findings are included in this report on page 49.¹ The textbox, *Implementation Key*, explains the terms used to describe the status of statutory and management provisions.

Implementation Key

- **Implemented:** The agency has fully implemented the provision.
- **In Progress:** The agency has begun efforts to implement the provision but has not completed or fully realized implementation of the provision.
- **Partially Implemented:** The agency has fully implemented some parts of the provision but has not taken any action to implement other parts.
- **Not Implemented:** The agency has not implemented or begun the process of implementing the provision.

**2015 Sunset Legislation and Management Recommendations
Implementation by Agency**

Agency		Changes Required	Changes Implemented	In Progress	Partially Implemented	Not Implemented
Administrative Hearings, State Office of	Statutory	13	11	2	0	0
	Management*	9	7	2	0	0
Aging and Disability Services, Department of	Statutory ²	1	0	1	0	0
	Management	13	8	5	0	0
Assistive and Rehabilitative Services, Department of	Statutory	8	4	2	2	0
	Management	8	8	0	0	0
Developmental Disabilities, Texas Council for	Statutory ³	0	0	0	0	0
	Management	1	0	1	0	0
Education Agency, Texas	Statutory ⁴	8	7	1	0	0
	Management*	5	5	0	0	0
Family and Protective Services, Department of	Statutory	22	12	9	1	0
	Management	31	14	11	4	2
Health and Human Services Commission	Statutory	26	10	13	1	2
	Management	17	10	7	0	0
Health and Human Services Commission — Office of Inspector General	Statutory	27	18	5	4	0
	Management	5	1	2	2	0
Health Services, Department of State	Statutory	17	6	11	0	0
	Management	14	9	5	0	0
Health Services Authority, Texas	Statutory	1	0	1	0	0
	Management	0	0	0	0	0
People with Disabilities, Governor's Committee on	Statutory	1	0	1	0	0
	Management*	2	0	2	0	0
Purchasing from People with Disabilities, Texas Council on	Statutory	2	1	1	0	0
	Management*	2	0	2	0	0
University Interscholastic League	Statutory ⁵	0	0	0	0	0
	Management*	6	6	0	0	0
Workforce Commission, Texas	Statutory	14	9	4	1	0
	Management ⁶	19	6	13	0	0
Workforce Investment Council, Texas	Statutory	2	2	0	0	0
	Management	0	0	0	0	0
Totals		274	154	101	15	4
Percentage			56%	37%	6%	1%

* Implementation of management actions was self-reported to the State Auditor's Office and not reviewed by Sunset staff.

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- ¹ State Auditor's Office, *A Report on the Self-reported Implementation of Sunset Advisory Commission Management Actions*, Report No. 16-036.
 - ² The Sunset bill for DADS (S.B. 204) was not adopted by the 84th Legislature. However, Sunset staff checked compliance on Sunset recommendations related to nursing home violations that passed in S.B. 304.
 - ³ The Sunset bill for TCDD (H.B. 1679) was adopted by the 84th Legislature but did not contain any provisions requiring action by the agency.
 - ⁴ The Sunset bill for TEA (S.B. 214) was not adopted by the 84th Legislature. However, the chart includes provisions for the Sunset bill transferring driver training from TEA to TDLR (H.B. 1786).
 - ⁵ The Sunset bill for University Interscholastic League (S.B. 213) was not adopted by the 84th Legislature.
 - ⁶ In addition to the auditor's report, Sunset staff reviewed five management recommendations for the Texas Workforce Commission related to program transfers from DARS. Four of these are still in progress as described on page 45 of this report.

**BILL PROVISIONS AND
MANAGEMENT ACTIONS**

BILL PROVISIONS AND MANAGEMENT ACTIONS

State Office of Administrative Hearings

House Bill 2154, as adopted by the 84th Legislature, further strengthened the independence of the State Office of Administrative Hearings (SOAH), helped stabilize the agency's funding, and improved management of its staff and diverse caseload. The legislation contained 13 changes requiring action including action related to the SOAH Tax Division. The following chart summarizes two statutory provisions that are still in progress and provides the status of each.

Bill Provision	Implementation	
	Status	Comments
1. Authorizes SOAH to adjust its hourly rate to recover the full cost of services.	In Progress	The bill authorizes SOAH to adjust its hourly rate to recover its full cost of services, but the agency's hourly rate was capped at \$128 in the General Appropriations Act, 84th Legislature, SOAH Bill Pattern, Rider 8.a. However, with the conclusion of fiscal year 2016, SOAH now estimates its hourly cost to be \$133. Based on its current estimates the \$128 hourly rate will not cover the full cost of SOAH's services.
2. Requires SOAH and the Department of Public Safety (DPS) to develop and adopt a memorandum of understanding (MOU) no later than September 1, 2016, establishing SOAH has primary scheduling responsibility for administrative license revocation (ALR) hearings and requires the agencies to update the MOU at least biennially.	In Progress	SOAH and DPS completed and executed the MOU on August 30, 2016. Beginning January 1, 2017, SOAH will set the dates and times of its ALR courts and the number of hearing slots available. DPS will continue to schedule individual cases into the hearing slots until SOAH procures a new integrated case management system. The MOU anticipates the complete transfer of the docketing functions in September 2018.

Department of Aging and Disability Services

Senate Bill 204, which would have made changes to programs at the Department of Aging and Disability Services (DADS), was not adopted by the 84th Legislature. However, a Sunset Commission recommendation requiring license revocation for certain nursing homes passed separately in S.B. 304. Per Senate Bill 200, DADS will be abolished and its functions transferred to the Health and Human Services Commission on September 1, 2017. The following chart summarizes the statutory provision still in progress and provides its status.

Bill Provision	Implementation	
	Status	Comments
Senate Bill 304 1. Requires DADS, through the HHSC executive commissioner, to revoke the license of a nursing home found to have three or more serious violations related to abuse or neglect in a two-year period.	In Progress	DADS proposed rules in the Texas Register on October 28, 2016, to implement this provision and expects the rules to become effective in January or February 2017.

In addition to statutory changes, the Sunset Commission also issued 13 management recommendations requiring action. Five of these directives are still in progress as explained in the chart below.

Management Action	Implementation	
	Status	Comments
2. Directs DADS to focus on improving the quality of life for residents and staff at all State Supported Living Centers (SSLCs).	In Progress	By August 2017, DADS plans to implement a care management program and a physical and behavioral health quality and outcomes of care program. The agency has already implemented an electronic health record system at SSLCs and revised its individual support plan process to improve person-centered planning.
3. DADS should leverage expertise at SSLCs to support providers in the community.	In Progress	DADS has applied to the Centers for Medicare and Medicaid Services for approval of a pilot program to provide dental services at the Austin SSLC and Richmond SSLC to people receiving community-based services. DADS expects to pilot the program September 2017.
4. DADS should strengthen partnerships with local authorities statewide to improve the number and speed of transitions to the community.	In Progress	By March 2017, DADS expects to have implemented a process to monitor individuals who have transitioned from SSLCs to determine the success of the transition. The agency has already established crisis stabilizations team at each SSLC to assist community providers that serve SSLC residents who have transitioned to the community.

Department of Aging and Disability Services (continued)

Management Action	Implementation	
	Status	Comments
5. Directs DADS to improve the quality and consistency of information available on the Quality Reporting System (QRS) for long-term care providers.	In Progress	While DADS has revised search features and modified the ratings system to a five-star rating, DADS has included an exceptional item in its 2018–2019 Legislative Appropriations Request to add data elements and a side-by-side comparison to QRS.
6. Require DADS to identify inconsistencies across the state in the interpretation and application of statutes and regulations against long-term care facilities.	In Progress	DADS has launched an online feedback tool for long-term care providers to report inconsistent application of rules and regulations and has reviewed its enforcement processes to identify areas of improvement for consistency when citing violations and deficiencies. DADS expects to have a quality assurance exercise in place by February 2017 that will evaluate survey findings to better identify and address inconsistent understanding of rules and regulations. By November 2017, DADS will have completed participation in a federal pilot for the revised nursing facility survey process and also staff training on the revised process.

Department of Assistive and Rehabilitative Services

House Bill 2463, as adopted by the 84th Legislature, integrated services for people with visual disabilities with other disability services and improved oversight and management of direct service programs administered by the Department of Assistive and Rehabilitative Services (DARS). However, Senate Bill 208 transferred vocational rehabilitation services and other related programs to the Texas Workforce Commission (TWC) and Senate Bill 200 abolished DARS and transferred all remaining functions to the Health and Human Services Commission (HHSC) on September 1, 2016. The legislation included a total of eight changes requiring action. The following chart summarizes two statutory provisions that are still in progress and two that are partially implemented and provides the status of each.

Additional information on provisions that are still in progress or not implemented for the programs that moved to TWC is provided on page 45.

Bill Provision	Implementation	
	Status	Comments
1. Requires DARS to establish guidelines that provide direction for caseworkers' decisions in all of the agency's direct services programs. Requires DARS to provide the guidelines to caseworkers in a format that allows them to easily access the information.	Partially Implemented	While HHSC and TWC have created memos to educate staff about recent policy changes and use the case review system to help caseworkers, the agencies are still in the process of incorporating changes required by the bill into accessible program guidelines for caseworkers. However, some requirements have not been included in policy updates or changes at either agency. For example, the Blind Children's Vocational Discovery and Development and the Comprehensive Rehabilitation Services programs at HHSC and TWC's Vocational Rehabilitation program do not have caseworker guidelines about the total length of time a consumer may receive services and the recommended total expenditures per case, both key problems identified in the Sunset review.
2. Requires DARS to establish and maintain a single, uniform case review system for all direct services programs.	In Progress	While all programs now use a uniform case review system, HHSC is still implementing quality assurance improvement methods for direct service programs, which will guide the case review process.

Department of Assistive and Rehabilitative Services (continued)

Bill Provision	Implementation	
	Status	Comments
<p>3. Requires DARS to integrate its independent living programs for people who are blind or visually impaired and for people with significant disabilities into a single independent living program by September 1, 2016. Requires DARS to ensure that all services provided under the independent living services program are directly provided by centers for independent living (CILs) and are not directly provided by the agency. Requires DARS to monitor the performance of each CIL in providing services.</p>	<p>Partially Implemented</p>	<p>DARS combined and outsourced the Rehabilitation Services and Blind Services Independent Living programs to CILs, including the Independent Living Services Program for Older Individuals Who are Blind, which was transferred to TWC before consolidation on September 1, 2016. However, a decision from the federal Rehabilitation Services Administration prevented TWC from contracting with HHSC to administer the outsourced program. As a result, TWC establishing the Independent Living Services for Older Individuals Who are Blind program at regional TWC offices, which will work closely with the CILs.</p>
<p>4. Requires DARS to designate staff, outside of the direct services programs, to monitor those programs from a statewide perspective. Requires these staff to collect, monitor, and analyze data relating to the programs and report outcomes and trends to program managers. Authorizes DARS to conduct internal peer reviews of its field offices at regular intervals to assess their compliance with federal regulations and agency policies.</p>	<p>In Progress</p>	<p>While HHSC executive management is now tracking and evaluating performance of programs and staff through monthly financial briefings and a dashboard system, the agency is still in the process of implementing an agency-wide peer monitoring program and a plan to ensure the integrated blind and general programs have a uniform quality assurance process.</p>

Texas Council for Developmental Disabilities

House Bill 1679, as adopted by the 84th Legislature, continued the Texas Council for Developmental Disabilities (TCDD), but did not contain any provisions requiring action by the agency. The Sunset Commission adopted one management recommendation for TCDD requiring action. The following chart summarizes this provision and provides its status.

Management Action	Implementation	
	Status	Comments
1. TCDD should track the five-year outcomes of grant projects designed to continue beyond the grant funding period and compare actual outcomes to intended outcomes.	<i>In Progress</i>	Because five years have not elapsed, this management action has not yet taken effect.

Texas Education Agency — Driver Training Program

House Bill 1786, as adopted by the 84th Legislature, transferred the Texas Education Agency's driver training program to the Texas Department of Licensing and Regulation (TDLR). The legislation included a total of eight changes requiring action. The following chart summarizes one statutory provision that is still in progress and provides its status.

Bill Provision	Implementation	
	Status	Comments
1. Removes fixed driver training fee amounts and fee caps from statute and instead allows the Commission of Licensing and Regulation to establish fees in rule. Specifies that changes to fee amounts only apply to fees charged on or after September 1, 2015.	<i>In Progress</i>	TDLR is in the process of adopting rules, which include fee amounts and caps. The rulemaking process will be complete by spring 2017.

Department of Family and Protective Services

Senate Bill 206, as adopted by the 84th Legislature, removed unnecessary burdens on caseworkers, improved safety and well being of children in foster care, and strengthened child-care licensing enforcement efforts in the Department of Family and Protective Services (DFPS). The legislation included a total of 22 changes requiring action. The following chart summarizes nine statutory provisions that are still in progress and one that is partially implemented and provides the status of each.

Of note, DFPS and Child Protective Services (CPS) in particular, is in the midst of a high level of legislative and gubernatorial attention as a result of continuing problems with both investigations and foster care placements. These problems are nothing new. As seen in this report, many recommendations aimed at retention of caseworkers and service improvements have yet to be fully implemented. On a positive note, the Legislative Budget Board has recently provided additional funds for additional caseworkers and salary increases aimed at retaining CPS staff. These additional funds should have an impact on DFPS' efforts to more effectively implement the Sunset legislation and management recommendations.

Bill Provision	Implementation	
	Status	Comments
1. Requires DFPS to conduct a criminal history check and complete a preliminary evaluation of a designated caregiver's home before placing a child there. Also requires DFPS to begin a full home study within 48 hours of placement and complete it as soon as possible.	In Progress	DFPS leadership is in the final approval process for new policies including these requirements.
2. Requires DFPS and licensed child-placing agencies to make adoptive placements in compliance with the federal Multiethnic Placement Act, and repeals sections of current law governing use of race and ethnicity in making adoptive placement decisions.	In Progress	DFPS was already complying with the federal law, but expects to finalize a streamlined, updated policy in December 2016.
3. Requires DFPS to include data on foster placement stability and proximity of placements to a child's home county in its annual report.	In Progress	DFPS will add proximity to a child's home county to the interactive 2016 data book, to be published in February 2017. Foster placement stability is already a measure included in the data book.
4. Requires DFPS to include in its annual report data on pregnant or parenting children, children missing from substitute care, and human trafficking.	Partially Implemented	DFPS manually tracks information about children missing from substitute care and human trafficking related to children in conservatorship, and will not include this data in the 2016 data book. DFPS will report data on pregnant or parenting children in the 2016 data book.
5. Requires DFPS to include in its annual report data on the amount of funding spent on child abuse prevention services and the rate of child abuse and neglect in each county.	In Progress	DFPS plans to include this in the 2016 data book.

Department of Family and Protective Services (continued)

Bill Provision	Implementation	
	Status	Comments
6. Requires DFPS to develop and maintain a long-range foster care redesign implementation plan. As a related management action, Child Protective Services (CPS) should expand its connection to the faith-based community beyond its existing efforts aimed at adoption and permanency to address gaps in service availability in all areas of CPS, such as investigations and family-based safety services.	In Progress	<p>DFPS is awaiting the Health and Human Service Commission's final approval for the Foster Care Redesign Implementation Plan.</p> <p>DFPS has established a Faith Based Specialist Work Plan that outlines several initiatives to ensure engagement with the faith-based community in all stages of service, including training existing and new caseworkers on the resources faith-based specialists provide. DFPS has not designed statewide goals and outcome measures for faith-based engagement, formally solicited feedback from faith communities they partner with, or begun including faith specialists in regional management meetings to keep regional management apprised of and involved in outreach efforts.</p>
7. Eliminates a separate staffing and workload distribution plan, and instead requires DFPS to consider the goals of this plan, such as improving investigation quality, in developing the CPS business plan required elsewhere in the bill.	In Progress	DFPS is still developing the 2017 CPS Business Plan, which was due on October 1, 2016.
8. Requires CPS to implement an annual business planning process.	In Progress	DFPS is still developing the 2017 CPS Business Plan, which was due on October 1, 2016.
9. Requires DFPS to implement a license renewal process for child care licenses and registrations.	In Progress	DFPS is working with the Technology Consortium on the development, testing, and implementation of automated licensing permit renewals. DFPS will develop a manual process for permit renewals in advance of automation since rules requiring license renewal become effective ahead of the automation roll out.
10. Requires DFPS to conduct a study to determine whether authorization agreements should be expanded to include agreements between a parent of a child and a nonrelative. DFPS must complete the study by December 31, 2016.	In Progress	DFPS is working with stakeholders and reviewing available information to complete the study and develop recommendations.

Department of Family and Protective Services (continued)

In addition to statutory changes, the Sunset Commission also issued 31 management actions to DFPS. Eleven of these directives are still in progress, four are partially implemented, and two are not implemented, as explained in the chart below.

Management Action	Implementation	
	Status	Comments
11. Directs DFPS to consolidate its existing workforce management functions under one operational unit and add additional critical functions to better support employees and systematically identify root causes of turnover.	Partially Implemented	<p>The Sunset Commission directed DFPS to use its new Workforce Development Division to systematically monitor and report key retention-related data to DFPS leadership to timely and proactively identify problems, such as turnover and caseload hot spots. However, the agency has kept primary responsibility for these monitoring and reporting duties with CPS. The division's role is mostly limited to recruiting, hiring, and training caseworkers. This approach does not take full advantage of the new division's dedicated resources for monitoring and overseeing improvements in these data. Also, it does not fully accomplish the Sunset Commission's purpose of ensuring systematic monitoring and reporting of retention issues outside the structure of CPS, whose primary job is to ensure child safety.</p> <p>DFPS only partially consolidated its hiring functions into the Workforce Development Division, and still relies on CPS regional staff to post, screen, interview, and hire supervisors and staff near the direct service positions. The division manages the hiring process for caseworker positions, reducing the CPS vacancy rate for investigators from 10 percent in fiscal year 2013 to the current 1 percent.</p> <p>As part of this management action, the Sunset Commission directed the new Workforce Development Division to evaluate the effectiveness of DFPS' retention efforts, such as merit pay. DFPS is working with the University of Houston to conduct a compensation effectiveness study that will look at all financial incentives including merit pay. DFPS expects findings in December 2016.</p>

Department of Family and Protective Services (continued)

Management Action	Implementation	
	Status	Comments
12. Directs DFPS to dedicate certain existing caseworker positions to create a mentoring program to better support new CPS caseworkers.	Not Implemented	<p>While DFPS made changes to its existing caseworker mentor program in conjunction with its overall training program, the agency did not implement a dedicated mentor program as directed by the Sunset Commission. DFPS assigns new caseworkers to mentors for the first 90 days of their employment and pays the mentors a stipend. However, mentors working with the new caseworkers are still caseworkers themselves with full caseloads, in addition to providing training and support.</p> <p>DFPS contracted with the University of Texas to evaluate CPS' training and mentoring program. The University of Texas will present its findings to DFPS in December 2016.</p>
13. DFPS should establish a system for collecting confidential internal complaints and direct these complaints to the Workforce Development Division.	Partially Implemented	<p>The Workforce Development Division established a system for gathering confidential internal complaints, but the agency has not made every effort possible to allow complaints to remain anonymous, as directed by the Sunset Commission. DFPS initially set up a system that allowed truly anonymous complaints from staff through the agency's external website, but later changed the process to require staff to log in to the internal intranet system to file these complaints. The Sunset Commission identified fear of retaliation by management as a persistent issue within the CPS work culture, but the agency's implementation of the complaints process does not provide enough assurance complaints cannot be linked to individual employees. Since this change in approach, the average number of monthly complaints received has fallen from 18 to four.</p>

Department of Family and Protective Services (continued)

Management Action	Implementation	
	Status	Comments
14. Directs DFPS to regularly do casework time studies to more accurately develop caseload goals and policies that are fair and attainable for caseworkers.	In Progress	DFPS has completed time measurement studies on the Adult Protective Services Facility Investigations program, CPS Family-Based Safety Services program, and the CPS Conservatorship program. DFPS plans to complete time studies for the following programs: CPS Investigations, Residential Child Care Licensing, CPS Foster Care Redesign, Day Care Child Care Licensing, Statewide Intake, and Adult Protective Services In-Home Investigations. In addition, DFPS has not developed an ongoing schedule to ensure regular, updated time studies once this first set is complete.
15. Directs DFPS to develop a standardized and objective method for fairly and efficiently distributing cases.	In Progress	The Dallas area has begun using a case assignment similar to Houston, assigning cases based on zip code. Additionally, CPS created a case complexity report for each type of caseworker based on input from field staff and case data. CPS is currently using that input to develop regular unit-level reports supervisors can use to better see the number and complexity of cases each caseworker is working and assign cases accordingly.
16. Directs DFPS to comprehensively review and update the CPS policy and procedures handbook.	In Progress	CPS has established a centralized process for policy review, development, and dissemination. CPS has reviewed, updated, and streamlined policy and procedure handbooks related to investigations, Family-Based Safety Services, placements, education, and safety. The agency is still reviewing and streamlining handbooks related to conservatorship and other services. On average, CPS still makes two to four policy changes per month.
17. Directs CPS to develop a systematic approach to its policymaking to ensure clear, updated policies and procedures that mitigate risk of noncompliance and staff confusion.	Partially Implemented	While CPS implemented most elements of this recommendation as directed by the Sunset Commission, CPS has not developed a regular timeframe and process for conducting a comprehensive review of policies and procedures to evaluate the continuing need for each.
18. Directs DFPS to require CPS regions to fully document their protocols and practices, report these, and update them on a regular basis.	Not Implemented	Regional leadership continues to develop and approve regional protocols and practices on top of the statewide policies with little coordinated oversight or systematic tracking by the CPS state office.

Department of Family and Protective Services (continued)

Management Action	Implementation	
	Status	Comments
19. CPS should develop a process to report results of staff surveys and other feedback mechanisms back to employees, including suggestions made and management actions taken. The new Workforce Development Division should oversee this process.	Partially Implemented	CPS reports the results of and management actions taken in response to most employee surveys and feedback mechanisms, but the Workforce Development Division only oversees a portion of this process. Also, CPS gathers feedback for internal improvements from frontline staff in a number of ways, including, for example, the “Stay Interview” conducted with employees during the first six, 12, and 18 months of employment. CPS does not gather information or report trends observed through these interviews. Additionally, CPS and the Workforce Development Division gather feedback and ensure pertinent information and action plans are provided to leadership, but does not ensure frontline staff receives this information.
20. Directs DFPS to ensure its planning efforts for Information Management Protecting Adults and Children in Texas (IMPACT) modernization support improvement and align with possible CPS operational changes.	In Progress	The IMPACT modernization project has fallen behind schedule and has faced several contracting challenges, and implementation of this management action is dependent on progress of this project. DFPS established a steering committee to gather input from field staff and meet monthly to ensure CPS Transformation needs are part of IMPACT modernization updates. DFPS has not yet chosen a vendor for these IMPACT modernization changes.
21. Directs DFPS to develop a succession planning strategy, to prepare for impending retirements and provide opportunities for advancement to lower-level staff.	In Progress	DFPS is in the process of developing a succession plan for anticipated and unanticipated departures of key management staff, beginning with state office positions.
22. DFPS should develop a consistent approach to measuring and monitoring provider quality and identifying risk indicators in both the legacy and redesigned systems.	In Progress	DFPS developed new performance measures to evaluate the wellbeing of children in foster care and implemented a predictive model to identify and prevent maltreatment through targeted monitoring. Going forward, DFPS will use information gathered to give providers effective technical assistance and guidance to improve outcomes for children. DFPS is still working to implement scorecards with these performance measures statewide.

Department of Family and Protective Services (continued)

Management Action	Implementation	
	Status	Comments
23. Directs DFPS to develop more specific outcome measures for Family-Based Safety Services.	In Progress	DFPS contracted for a study of Family-Based Safety Services program outcome measures. Recently, DFPS started planning a pilot program to contract for family-based safety services through a single external entity. This contractor would provide case supervision and provide or purchase the needed services for families in the program, while meeting specific CPS outcome measures for families set forth in the contract.
24. DFPS should monitor the use and evaluate the effectiveness of investigation resources.	In Progress	DFPS updated its training to help staff identify which cases would benefit from special investigators, Child Advocacy Centers, and the Forensic Assessment Center Network. DFPS is still working to add an indicator to the IMPACT case management system that will assist in identifying the number of cases that use any of the above resources and assessing effectiveness.
25. Directs DFPS to develop a strategy to use existing data to better focus its prevention efforts and report the outcomes of its programs.	In Progress	DFPS reviewed an analysis of 10 years of Prevention and Early Intervention program data to inform the agency's development of research initiatives and performance outcomes. DFPS has contracted with several different groups to evaluate the effectiveness of a number of individual prevention programs, but the agency is still working to produce a clear, cross-program strategy to identify the most effective programs and report performance outcomes. Because DFPS does not yet have established outcome measures, the agency has not reported data in its annual data book to show the impacts of its prevention efforts.
26. Directs DFPS to transition to online child care licensing fee collections.	In Progress	DFPS has awarded a contract to a vendor to automate the child care licensing fee collection system.
27. Directs DFPS to clearly define in agency policy the appropriate use of advisory committees and informal workgroups.	In Progress	DFPS drafted a policy that defines the appropriate use of advisory committees and informal workgroups, but has not yet published the policy.

Health and Human Services Commission

As adopted by the 84th Legislature, Senate Bill 200 reorganized, consolidated, and made changes to the provision of health and human services in Texas. Senate Bill 200 continued the Health and Human Services Commission (HHSC), the Department of Family and Protective Services (DFPS), and the Department of State Health Services (DSHS) as independent agencies within the health and human services system. The legislation included a total of 26 changes requiring action and included action related to the Interagency Task Force for Children with Special Needs. The following chart summarizes and provides the status for 13 statutory provisions that are still in progress, one that is partially implemented, and two that are not implemented.

Bill Provision	Implementation	
	Status	Comments
<p>1. Reorganizes and consolidates health and human services in Texas, moving from five agencies to three.</p> <ul style="list-style-type: none"> • Consolidates client services across the system at HHSC on September 1, 2016. • Consolidates prevention programs at DFPS on September 1, 2016. • Consolidates institutions and regulatory functions across the system on September 1, 2017. <p>The result of the above transfers is to abolish and transfer functions of the Department of Assistive and Rehabilitative Services (DARS) by September 1, 2016 and the Department of Aging and Disability Services (DADS) by September 1, 2017.</p> <p>Requires evaluation and consolidation of all administrative functions that are feasible and desirable to consolidate by September 1, 2017.</p>	<p>In Progress</p>	<p>On September 1, 2016, client services from across the system were consolidated at HHSC and all but two prevention programs were consolidated at DFPS. On this date, DARS was abolished as an independent agency, and its functions transferred to HHSC and the Texas Workforce Commission. Since consolidating client services at the organizational level, HHSC has begun to identify opportunities to integrate services for clients at the program level.</p> <p>By September 1, 2017, HHSC plans to consolidate regulatory functions and administration of state facilities from across the system. On this date, DADS will be abolished. HHSC is currently preparing for the transition of more than 25,000 staff.</p> <p>For each administrative function, workgroups made up of representatives from across the system are evaluating the extent to which consolidation is desired and establishing timelines for functions to be consolidated. HHSC is developing written agreements outlining the services to be provided to each HHS agency or division receiving administrative support.</p> <p>Consolidation of each administrative function is occurring in stages to be largely completed by September 1, 2017. Administrative services from DARS and DADS were moved to HHSC on September 1, 2016. Proportional numbers of administrative staff from DSHS and DFPS are planned to move to HHSC at the same time as regulatory and facility program staff on September 1, 2017. Various components of each administrative function will also further consolidate by September 1, 2017.</p>

Health and Human Services Commission (continued)

Bill Provision	Implementation	
	Status	Comments
		HHSC is still making final decisions on the degree of consolidation for a few remaining administrative functions. Because of the large role administrative services play in accomplishing the system reorganization, administrative consolidations mostly occur before or after the larger system reorganizations, instead of on the same timelines. Such an approach allows the administrative areas to balance their workload and ensure services to clients and HHS staff are not interrupted.
2. Requires HHSC to operate a consolidated internal audit program for all HHS agencies.	In Progress	The internal audit functions of DARS and DADS have been consolidated into HHSC, but audit functions for DSHS and DFPS are not planned to consolidate until September 1, 2017.
3. Requires HHSC to create an approval process and standard criteria for all system websites.	In Progress	HHSC established a steering committee to oversee and review website changes and has also developed both branding and technical standard criteria for all websites. However, HHSC still needs to apply standard website criteria to all system websites.
4. Clarifies the role and authority of the HHSC ombudsman's office as a point of escalation for complaints throughout the system and to collect standard complaint information.	In Progress	HHSC has enhanced the role of its ombudsman's office by establishing a system-wide standard process for tracking and reporting complaints and inquiries. DARS' ombudsman functions transferred to the HHSC Ombudsman's office September 1, 2016. Further consolidation of the ombudsman's function for DADS, DFPS, and DSHS is planned for September 1, 2017.
5. Requires HHSC to develop performance measures and create policies governing hotlines and call centers throughout the system.	In Progress	HHSC took inventory of all system hotlines and call centers to assist with hotline consolidation. The agency also drafted a policy to govern need assessments and performance of agency hotlines and call centers. HHSC expects to finalize this policy by January 2017.
6. Requires HHSC to streamline the Medicaid provider enrollment and credentialing processes by creating an enrollment portal and better linking data within the process.	In Progress	HHSC intends to issue a request for proposal for a consolidated provider enrollment system by the end of 2016. The Texas Association of Health Plans is currently developing a consolidated credentialing verification system that should be able to share information with the provider enrollment system to streamline the process for providers to join Medicaid. HHSC anticipates that its enrollment system should be operational by December 2019.

Health and Human Services Commission (continued)

Bill Provision	Implementation	
	Status	Comments
7. Requires OIG and HHSC to define, in rule, the respective roles and purpose of managed care audits and to coordinate all audit activities.	Partially Implemented	While HHSC and OIG have defined their respective audit roles, jurisdiction, and frequency in policy, this detail is not defined in rule as required by the bill.
8. Keeps the functions of the System of Care Consortium at HHSC but eliminates its advisory committee.	In Progress	A drafting error eliminated the Consortium's functions from statute instead of just removing the advisory committee. However, HHSC continues to carry out the Consortium's functions and is pursuing memoranda of understanding with partner agencies identified in the Consortium's strategic plan, in line with the bill's intent.
9. Requires HHSC to develop a comprehensive, coordinated operational plan designed to ensure consistent approaches in its major initiatives for improving the quality of health care. Requires HHSC to develop incentives for coordination of its major quality initiatives and seek to reduce the menu of Delivery System Reform Incentive Payment (DSRIP) project categories in line with the plan's goals.	Not Implemented	HHSC has consolidated its efforts to improve health care quality and anticipates completion of its operational plan in April 2017. However, because the plan is not complete, HHSC has not revised its initiatives in line with goals in the plan. HHSC has also not taken steps to ensure performance measures in state contracts will be consistent and aligned, such as among managed care organizations, local mental health authorities, and DSRIP projects. Because the 1115 waiver was extended under its current requirements and not renewed or changed, HHSC has not narrowed the menu of projects in line with the statewide goals to be identified in the operational plan. HHSC also has not created incentives for initiatives that promote coordination among various quality initiatives.

Health and Human Services Commission (continued)

Bill Provision	Implementation	
	Status	Comments
10. Requires HHSC to ensure behavioral health services are integrated into managed care organizations statewide.	In Progress	<p>To better integrate behavioral health services into managed care organizations, HHSC changed its managed care contracts to incorporate a waiver of the spell of illness requirement, related to the length of inpatient hospital care, for individuals with severe and persistent mental illness. HHSC has also continued efforts to update Medicaid policies and better integrate targeted case management services, as per Senate Bill 58, 83rd Legislature.</p> <p>HHSC is also working with the Behavioral Health Integration Advisory Committee on final recommendations to better integrate behavioral health and physical health within managed care organizations. Final recommendations from the committee are expected in December 2016. By the middle of 2017, HHSC anticipates its workgroup will evaluate and prioritize recommendations and establish timelines for implementation. HHSC has already implemented many of the committee's previous recommendations to improve integration.</p>
11. Requires the state to assist with maintenance of Medicaid eligibility statewide.	In Progress	<p>HHSC updated its managed care contracts to require managed care organizations to provide renewal assistance for Medicaid clients. HHSC anticipates updating its eligibility system in March 2017 with additional information to help managed care organizations assist in maintaining client eligibility.</p>
12. Requires HHSC to develop a pilot project to promote increased use of incentive-based payments by managed care organizations.	Not Implemented	<p>HHSC believes it can achieve this provision's goal of increasing use of incentive- or value-based payments by managed care organizations without completion of a pilot project. HHSC is developing ways to measure use of value-based payments by managed care organizations and hopes to include a new metric in future contracts beginning September 2017.</p> <p>In addition, HHSC is applying for funds to evaluate a different pilot project with similar goals for increasing value-based payments. While the pilot project encourages use of incentive-based payments, it does not satisfy the Sunset requirement because it focuses on providers rather than managed care organizations and would not evaluate and recommend services or payment structures that could be appropriate for use in managed care statewide.</p>

Health and Human Services Commission (continued)

Bill Provision	Implementation	
	Status	Comments
13. Requires HHSC to collaborate with DSHS to develop a one-time strategic plan to reduce morbidity and mortality from chronic respiratory disease, including asthma and chronic obstructive pulmonary disease.	In Progress	HHSC and DSHS are drafting the chronic respiratory disease strategic plan. The plan is due to the governor and Legislature by December 31, 2016.
14. Requires HHSC to collaborate with the Cancer Prevention and Research Institute of Texas (CPRIT) to develop a one-time strategic plan to reduce morbidity and mortality from Human Papillomavirus (HPV)-associated cancer.	In Progress	HHSC, in collaboration with CPRIT, is drafting the HPV Strategic Plan. The plan is due to the governor and Legislature by December 31, 2016.
15. Removes advisory committees from statute and allows the executive commissioner to re-establish needed advisory committees in rule.	In Progress	HHSC has evaluated its advisory committees and combined or eliminated committees to reduce the total number of committees from 133 to 64. Additional advisory committees are set to expire on September 1, 2017. After this point and as HHSC completes its consolidation, HHSC will need to re-evaluate its committees again with an eye toward further reduction. HHSC is in the process of finalizing its system-wide policy for regular evaluation of its advisory groups.
16. Requires HHSC to create a master advisory committee calendar, stream advisory committee meetings, and ensure access to online meeting materials.	In Progress	HHSC has made system advisory committee meetings and meeting materials available online, but has not yet developed a master advisory calendar to list all committee meeting dates in one central location. HHSC expects to develop a master calendar by January 2017.

Health and Human Services Commission (continued)

In addition to statutory changes, the Sunset Commission also issued 17 management actions to HHSC. Seven of these directives are still in progress, as explained in the chart below.

Management Action	Implementation	
	Status	Comments
17. Directs HHSC to improve the accountability, planning, and integration of information technology in the system and consolidate all IT personnel under HHSC control.	In Progress	All information technology staff in the system now report to HHSC, but many are still employees of system agencies. All DARS and DADS IT staff have consolidated at HHSC, and several IT functions have consolidated system-wide. HHSC plans to complete system-wide consolidation of customer services and business services by September 1, 2017 and applications and project management staff by September 1, 2018.
18. Directs HHSC's procurement and contract office to improve assistance to and communications with system agencies.	In Progress	HHSC has strengthened technical assistance to HHS staff by establishing a cross-agency workgroup and designating points of contact within agencies to promote clear and responsive communication. HHSC plans to continue efforts to improve assistance and communication to staff managing procurements or contracts by strengthening its customer support unit and establishing a training unit within its Contract Oversight and Support division.
19. Directs HHSC to develop ways to apply focused, high-level attention to system contracting.	In Progress	HHSC has completed specific tasks detailed in the Sunset recommendations, but is still working to implement processes to further improve contract oversight within the system. Efforts underway include transitioning to a new contracting database September 1, 2017, reinstating the system-wide contract council, and developing a major procurements team for complex procurements. Most notably, HHSC established a Contract Oversight and Support division on September 1, 2016 that is charged with strengthening contract monitoring efforts within the system and establishing processes to escalate attention for high-risk contracts when problems arise.
20. Consolidates rate setting for the system at HHSC.	In Progress	All rate-setting functions within the system are consolidated at HHSC except for those at DSHS. HHSC and DSHS expect to identify all rates and determine which functions and staff should be split from their programs and consolidated by September 1, 2017.

Health and Human Services Commission (continued)

Management Action	Implementation	
	Status	Comments
21. Directs HHSC to include a requirement for use of incentive-based payments in managed care requests for proposals.	In Progress	HHSC drafted language requiring use of incentive-based payments to be included in future managed care requests for proposals. This provision will be implemented in phases as managed care programs are re-procured.
22. Directs HHSC to elevate oversight and management of data initiatives, including creation of a centralized office with clear authority to oversee strategic use of data.	In Progress	HHSC created a high-level office to coordinate system-wide data oversight. Through this office, HHSC developed a cross-agency data workgroup, developed guidelines for consistent data modeling, and created an inventory of all the system's data. HHSC has not yet developed a strategic plan or policies to guide internal and external data sharing. HHSC also plans to evaluate consolidation of institutional review board processes and legal requirements for research on human subjects. HHSC expects to complete these efforts by September 1, 2017.
23. Transitions behavioral health services in the current NorthSTAR delivery area to an updated model allowing for integration of primary care and behavioral health services for Medicaid clients and allowing for access to federal funds for the Dallas region.	In Progress	The NorthSTAR behavioral health model is scheduled to transition to a new model on January 1, 2017. Following this transition, people with Medicaid coverage will receive their behavioral health services through their existing managed care organization or traditional Medicaid, while the indigent population will receive those services from one of two local organizations, either the North Texas Behavioral Health Authority or LifePath Systems.

Health and Human Services Commission — Office of Inspector General

Senate Bill 207, as adopted by the 84th Legislature, strengthened investigative processes at the Health and Human Services Commission Office of Inspector General (OIG), required better coordination with system agencies, and required another Sunset review of OIG in 2021. The legislation included a total of 27 changes requiring action. The following chart summarizes five statutory provisions that are still in progress and four that are partially implemented and provides the status of each.

Bill Provision	Implementation	
	Status	Comments
1. Clarifies the role of the executive commissioner and OIG and requires coordination of certain functions.	In Progress	OIG has begun to closely coordinate with HHSC on audits, provider education, and data analysis, but has not fully realized coordination efforts on utilization review. In October 2016, OIG and HHSC met to initiate coordination efforts but have yet to identify each entity's role and responsibilities related to utilization management. OIG expects to complete this by January 15, 2017.
2. Requires OIG to establish guidelines for the imposition of payment holds.	In Progress	OIG has adopted rules relating to payment holds but is still in the process of revising its memorandum of understanding with the Medicaid Fraud Control Unit relating to payment hold guidelines.
3. Require OIG, by rule, to establish prioritization and other criteria to guide its investigation processes.	Partially Implemented	While OIG has adopted policies and procedures relating to prioritizing recipient cases and guiding field investigators in closing a case, these criteria are not defined in rule as required by the bill.
4. Require OIG, by rule, to establish criteria for scaling its enforcement actions for Medicaid provider investigations to the nature of the violation, including penalties.	Partially Implemented	OIG has established additional tools for scaling violations such as aggravating and mitigating factors. However, OIG's newly adopted rules and policies do not include direction for categorizing provider violations according to the nature of the violation. The lack of clearly defined processes for determining which sanction to apply to a violation risks inconsistent treatment of providers for similar violations.
5. Require OIG to coordinate managed care organization audits with the Medicaid division of HHSC.	Partially Implemented	While HHSC and OIG have defined their respective audit roles, jurisdiction, and frequency in policy, this detail is not defined in rule as required by the bill.
6. Establish procedures for criminal history checks for purposes of enrollment.	In Progress	HHSC and OIG expect rules relating to criminal history check procedures to be finally adopted in January 2017.
7. Require OIG to establish guidelines for use of criminal history in enrollment.	In Progress	HHSC and OIG expect rules relating to criminal history check guidelines to be finally adopted in January 2017.

Health and Human Services Commission — OIG (continued)

Bill Provision	Implementation	
	Status	Comments
8. Requires OIG to track performance metrics and complete enrollment within 10 days.	Partially Implemented	OIG is tracking performance and meeting the 10-day required timeframe to process complete Medicaid provider enrollment applications. However, OIG has not implemented a required metric to determine timeframes for applications that are not complete when submitted, which would allow OIG and HHSC to better identify process bottlenecks and streamline the Medicaid provider enrollment process. OIG and HHSC are working to create a new system designation to better identify where provider applications are in the review process.
9. Requires OIG to provide detailed extrapolation information with overpayment notices.	In Progress	OIG intends to provide detailed extrapolation information with future overpayment notices. However, the agency has not completed any cases involving extrapolation or sent any overpayment notices since implementing its new extrapolation method in summer 2016.

Health and Human Services Commission — OIG (continued)

In addition to statutory changes, the Sunset Commission also issued five management actions to OIG. Two of these directives are still in progress and two are partially implemented, as explained in the chart below.

Management Action	Implementation	
	Status	Comments
10. Directs OIG to narrow its employee investigations to focus on high priority allegations, such as those at state institutions and those related to program integrity, and to develop guidelines for investigations of child fatalities.	Partially Implemented	<p>OIG has discontinued regular review of all child fatality cases from the Department of Family and Protective Services (DFPS). OIG now investigates special and serious allegations and has established guidelines and policies to work with DFPS on these investigations.</p> <p>OIG has not restricted its internal affairs employee misconduct investigations to those involving residents of state facilities and those that threaten public benefits or HHS program integrity. OIG's Internal Affairs division has coordinated with HHSC staff to narrow the scope of employee misconduct cases. However, the newly proposed criteria do not align with the criteria adopted by the Sunset Commission. OIG continues to investigate employee misconduct cases including general human resources issues with no direct connection to public benefits or public safety, such as forging doctor's notes for medical leave and theft of state property over a certain value, regardless of its connection to program integrity.</p>
11. Directs HHSC and OIG to work together to transfer certain OIG functions to other areas of the health and human services system where they would fit more appropriately.	In Progress	<p>The Health Insurance Premium Payment program, cost report reviews, and trust funds in intermediate care facilities have transferred to HHSC. The single audit report function briefly transferred to HHSC, but technological difficulties that prevented HHSC staff from accessing necessary files and a significant backlog of reports required the function to move back to OIG. OIG expects to successfully transfer this function to HHSC September 1, 2017.</p>

Health and Human Services Commission — OIG (continued)

Management Action	Implementation	
	Status	Comments
12. OIG should track basic performance measures needed to monitor the efficiency and effectiveness of its investigative processes.	In Progress	<p>Due to the continued absence of a case management system, OIG still cannot connect case-level data between its investigative and sanctions divisions, preventing OIG from identifying measures such as total case timelines or trends in outcomes by type of violations.</p> <p>However, OIG has implemented some new performance measures and tools, such as dashboards, to gauge basic performance within the office. Management staff use these tools to assess performance and improve efficiency and effectiveness of investigative processes. However, each of OIG's investigative divisions lack several of the metrics required by the recommendation, including data to measure timeframes, caseload statistics, dispositions, outcomes, or trends.</p>
13. OIG should establish a formal plan for reducing its backlog of Medicaid provider investigations and for improving inefficiencies in its investigative process.	Partially Implemented	OIG has cleared its backlog; its oldest case dates back to 2013. However, the agency did not develop a formal plan to clear the backlog or submit a plan to the HHSC executive commissioner for review as required by the recommendation.

Department of State Health Services

House Bill 2510 was the original vehicle for the Sunset Commission's statutory recommendations on the Department of State Health Services (DSHS), but the bill died after unrelated, controversial amendments relating to abortion regulation were added on the House floor and the threat of a point of order sent the bill back to committee. However, all of the Sunset Commission's statutory recommendations on DSHS passed in other bills as noted below. In total, the legislation included 17 changes requiring action by the department. The following chart summarizes 11 statutory provisions that are still in progress and provides the status of each.

Bill Provision	Implementation	
	Status	Comments
<p>House Bill 1, DSHS, Rider 80</p> <p>1. Requires DSHS to conduct a comprehensive review of contract funding requirements and standards governing community-based crisis and treatment facilities for persons with mental health and substance abuse disorders. Requires DSHS to submit a related report by December 1, 2016.</p>	In Progress	DSHS has completed the required reviews and provided draft recommendations to department leadership, but has not yet finalized the required report, due December 1, 2016, or formally proposed resulting rule changes. Many of the department's draft recommendations would ultimately require legislative action to fully implement.
<p>House Bill 1, DSHS, Rider 81</p> <p>2. Requires DSHS to develop a comprehensive inventory of the current roles, responsibilities, and capacity of DSHS central office, DSHS Health Service Regions, and each local health department, district, and authority in the state. Requires DSHS to establish statewide priorities for improving the state's public health system and to create a one-time public health action plan, with regional goals and strategies, to effectively use state funds to achieve these priorities. Requires DSHS to submit an action plan no later than November 30, 2016.</p>	In Progress	DSHS has completed the required inventory, but has not yet submitted the required action plan due by November 30, 2016.
<p>House Bill 1, DSHS, Rider 82</p> <p>3. Requires DSHS, in consultation with the Health and Human Services Commission (HHSC), to conduct a strategic review to evaluate and improve performance measurement and contracting processes across all DSHS contractors of behavioral health services. Requires DSHS to submit a report containing specific elements by December 1, 2016.</p>	In Progress	The department, in partnership with HHSC, contracted for assistance with the required analysis and evaluation and received an interim report in September 2016. However, DSHS has not yet submitted the required final report, due December 1, 2016, or finalized any specific proposed changes to behavioral health performance measurement and contracting processes. Ultimately, any changes would need to be implemented through new contracts, which DSHS plans to phase in slowly over several contract cycles beginning in fiscal year 2018, assuming proposed changes are approved.

Department of State Health Services (continued)

Bill Provision	Implementation	
	Status	Comments
<p>Senate Bill 200</p> <p>4. Expands DSHS' authority to require fingerprint-based criminal history background checks for anyone with access to the state's vital records electronic registration system. Requires DSHS to prescribe policies to implement this recommendation to take effect March 1, 2016.</p>	In Progress	<p>DSHS has developed and implemented a policy requiring fingerprint-based background checks for DSHS vital statistics staff and contractors. DSHS has obtained FBI approval for background checks on non-DSHS vital statistics staff, but is still finalizing the policy to implement this requirement.</p>
<p>Senate Bill 202</p> <p>5. Transfers six regulatory programs from DSHS to the Texas Department of Licensing and Regulation (TDLR) by August 31, 2019, including code enforcement officers, laser hair removal, massage therapists, mold assessors and remediators, offender education providers, and sanitarians.</p>	In Progress	<p>This provision is the second and final phase of the overall requirement to transfer 13 regulatory programs from DSHS to TDLR.</p> <p>DSHS and TDLR completed phase one of the transfers in October 2016, well ahead of the required August 31, 2017 deadline. Phase one transferred athletic trainers; dietitians; fitters and dispensers of hearing instruments; midwives; orthotists and prosthetists; speech-language pathologists and audiologists; and dyslexia therapists and practitioners from DSHS to TDLR.</p> <p>The department is currently working with TDLR on the second phase of the transfer, which the bill requires to be completed by August 31, 2019. DSHS and TDLR expect to complete the transfer of the six remaining programs in November 2017 — almost two years ahead of schedule.</p>
<p>Senate Bill 1507</p> <p>6. Requires a new, locally driven process for allocating and reviewing utilization of state mental health hospital beds among regions. Requires the forensic director created by Senate Bill 1507 to provide input into the regional allocation. Requires an advisory panel to submit an initial proposal for a bed day allocation methodology by March 1, 2016, and requires DSHS to prepare and submit a more detailed report by December 1 of even-numbered years summarizing and evaluating the status of the bed day allocation methodology and bed day utilization protocol.</p>	In Progress	<p>The department hired the forensic director and established a Joint Committee on Access and Forensic Services. In May 2016, the HHSC Executive Commissioner adopted the committee's recommendations to use existing local mental health authority regions to satisfy the requirement for state hospital bed allocation regions. The Executive Commissioner also approved the initially required allocation methodology and utilization review protocol. However, DSHS has not yet finalized the first, more in-depth legislative report evaluating the outcomes from these new processes, due December 1, 2016.</p>

Department of State Health Services (continued)

Bill Provision	Implementation	
	Status	Comments
<p>Senate Bill 1507</p> <p>7. Requires DSHS to work with the Court of Criminal Appeals to develop training to inform the judiciary about alternatives to inpatient mental health treatment. Requires the forensic director created by Senate Bill 1507 to provide input into the training curriculum.</p>	In Progress	DSHS, working with stakeholders, developed a draft of the training curriculum, which is currently under review by the Court of Criminal Appeals. Once approved by the Court of Criminal Appeals, HHSC, and DSHS, the curriculum will be distributed.
<p>Senate Bill 1899</p> <p>8. Authorizes DSHS to require jurisprudence examinations for all EMS licensees.</p>	In Progress	The department has published rules for comment in the Texas Register to implement this recommendation, and plans to begin the jurisprudence exams in January 2017.
<p>Senate Bill 1899</p> <p>9. Requires an EMS provider to have a physical location for its business establishment to obtain a license.</p>	In Progress	The department has published rules for comment in the Texas Register to implement this requirement, and plans to notify stakeholders of the change through the website and meetings in December 2016.
<p>Senate Bill 1899</p> <p>10. Requires an EMS provider to provide proof of ownership or a long-term lease agreement for all equipment necessary for safe operation of an EMS company, such as ambulances, stretchers, and defibrillators.</p>	In Progress	The department has published rules for comment in the Texas Register to implement this requirement, and plans to notify stakeholders of the change through the website and meetings in December 2016.
<p>Senate Bill 1899</p> <p>11. Requires DSHS to collect, maintain, and make publicly available detailed statistical information on complaints regarding EMS licensees. Specifies that DSHS may not include any information in the report that could be used to identify an individual involved in or the location of a complaint that has been dismissed or has not reached a final determination.</p>	In Progress	The department has developed and reviewed an initial report format to meet this requirement, and plans to produce the first statistical report in December 2016.

Department of State Health Services (continued)

In addition to statutory changes, the Sunset Commission also issued 14 management actions to DSHS. Five of these directives are still in progress, as explained in the chart below.

Management Action	Implementation	
	Status	Comments
12. Directs DSHS to review current methods for allocating regional mental health funding including all related costs and other factors associated with providing mental health services in a given region, and determine whether the allocations match the prevalence of mental illness in associated regional populations.	In Progress	DSHS plans to complete this analysis in January 2017 to help inform options for allocating mental health funding in the future.
13. DSHS should develop a system to categorize different types of local health departments based on the services they provide. DSHS should present the system to the State Health Services Council and the House Public Health and Senate Health and Human Services committees by November 30, 2016.	In Progress	DSHS has conducted a survey of public health entities and developed a plan for categorizing public health services but estimates it will not finalize or present the information as required until March 2017.
14. Directs DSHS to replace the current data certification process with an optional data validation process.	In Progress	The department is currently drafting rules to implement the recommendation, including collecting cost estimate information from facilities. DSHS estimates final rules will be adopted by July 2017.
15. Directs DSHS to continue its efforts to improve the display and interpretation of healthcare data for consumers.	In Progress	DSHS developed several projects to implement this recommendation, including creating a web-based data query tool with improved data, replacement of the consumer data portal, and development of better data visualization displays. While some updated tools are available online, the department estimates its efforts to migrate all data and reports to the new systems will be ongoing through May 2017.
16. Directs DSHS to review and revise its internal advisory committee policies and to regularly evaluate all of its advisory groups.	In Progress	While DSHS completed an initial evaluation in November 2014 as directed, subsequent recommendations and legislative changes relating to the consolidation of the health and human services system later affected the department's advisory committee policies. Currently, DSHS is awaiting final policies from HHSC before it continues regular evaluation of its advisory groups.

Texas Health Services Authority

Senate Bill 203, as adopted by the 84th Legislature, removes the Texas Health Services Authority (THSA) from statute. The legislation included one change requiring action. The following chart summarizes this provision and provides its status.

Bill Provision	Implementation	
	Status	Comments
1. Removes the THSA from statute on September 1, 2021, allowing its functions to continue only in the private sector. After this date, the bill requires HHSC or a designated private nonprofit organization with experience in statewide health information exchanges to certify entities' compliance with information sharing standards. HHSC would also consult with such an organization when amending the information sharing standards.	In Progress	Because THSA will not be removed from statute until September 1, 2021, this bill provision has not yet taken effect.

Governor’s Committee on People with Disabilities

House Bill 1678, as adopted by the 84th Legislature, continued the Governor’s Committee on People with Disabilities for 12 years. The legislation included one change requiring action. The following chart summarizes this provision and provides its status.

Bill Provision	Implementation	
	Status	Comments
1. Requires the committee to maintain and analyze information provided in the state’s various long-range plans for people with disabilities. Adds “a nonprofit organization required by federal law to produce such a plan” to the list of entities who produce long range plans relating to persons with disabilities that the committee is required to collect and analyze.	In Progress	The committee has hired a research specialist to collect and analyze the long range plans of state agencies and nonprofit organizations serving Texans with disabilities. The information will be published on the committee’s website in the second quarter of fiscal year 2017.

Texas Council on Purchasing from People with Disabilities

Senate Bill 212, as adopted by the 84th Legislature, abolished the Texas Council on Purchasing from People with Disabilities and transferred administration and oversight of the State Use Program to the Texas Workforce Commission (TWC). The legislation included two changes requiring action. The following chart summarizes one provision that is still in progress and provides its status.

Bill Provision	Implementation	
	Status	Comments
1. Requires TWC to establish a new advisory committee to set goals for the State Use Program and standards for participating community rehabilitation program certification.	In Progress	TWC established the Purchasing from People with Disabilities Advisory Committee in December 2015, and the committee has met five times since then. On August 3, 2016, the advisory committee approved performance measures for consideration and adoption by the Workforce Commission in November 2016. At its December 2016 meeting, the advisory committee will discuss and approve criteria for certifying community rehabilitation programs. The advisory committee will forward the recommended criteria to the Workforce Commission for consideration and adoption in the first quarter of 2017.

Texas Workforce Commission

Senate Bill 208, as adopted by the 84th Legislature, continued the Texas Workforce Commission for 12 years. The legislation included 14 changes requiring action. The following chart summarizes four statutory provisions that are still in progress and one that is partially implemented and provides the status of each.

Bill Provision	Implementation	
	Status	Comments
1. Transfers vocational rehabilitation (VR) and related programs and services from the Department of Assistive and Rehabilitative Services (DARS) to the Texas Workforce Commission (TWC).	In Progress	All powers, duties, functions, and activities for the VR and related programs transferred to TWC on September 1, 2016. Roughly 200 staff at TWC, DARS, and the Health and Human Services Commission (HHSC) worked together to accomplish more than 700 individual tasks as part of 10 transition teams. As part of the transfer, the bill requires TWC to integrate VR staff from DARS offices into its local workforce development boards by August 31, 2018. As part of its <i>Plan for the Transfer of Vocational Rehabilitation Services and Other Services and Programs</i> , TWC and HHSC developed a plan for leased office and building space affected by the transfer. Since many of the leases on VR field offices do not expire until after the 2018 deadline for integration, TWC plans to continue occupying those offices until the leases expire.
2. Requires TWC to include more in-depth data on the effectiveness and outcomes of child care subsidies in its statutorily required report on the program.	In Progress	TWC will submit its next biennial child care report in January 2017 and will incorporate employment outcomes and multi-year employment and wage trend data.
3. Requires TWC to partner with the Texas Education Agency to develop a mechanism to target areas of the state with the greatest needs for vocational rehabilitation services for students with disabilities who are transitioning from school to work.	In Progress	The bill requires TWC to adopt the memorandum of understanding (MOU) by September 1, 2017. TWC has developed a draft MOU and expects to adopt it in advance of the deadline.

Texas Workforce Commission (continued)

Bill Provision	Implementation	
	Status	Comments
4. Requires TWC to integrate administration, management, and oversight of VR blind and general programs into a single vocational rehabilitation program, no later than October 1, 2017, to eliminate duplication and better serve consumers.	In Progress	<p>TWC outlined its strategy for integrating the blind and general VR programs in its <i>Plan for the Transfer of Vocational Rehabilitation Services and Other Services and Programs</i>.</p> <p>TWC has developed a detailed timeline to guide the process of integrating the VR programs and will hold public hearings in early 2017 to gather input from stakeholders. The agency is taking a staged approach to integrating the programs and is on track to consolidate the two separate VR programs into a single division by October 1, 2017. TWC will submit a modification to its Combined State Plan to the Rehabilitation Services Administration in early August 2017 to officially combine the two designated state units into one.</p>
5. Requires TWC to develop a policy on gathering and using stakeholder input regarding the child care program.	Partially Implemented	<p>Although TWC adopted a policy on gathering stakeholder input, the policy does not clearly identify how the agency will use that input to improve the child care program. For example, the policy does not identify specifically what TWC will use the input for, how the agency will communicate comments received to stakeholders and the public, or how the agency will communicate action taken based on feedback or justification for why action was not taken.</p> <p>As part of its recent development of the Child Care State Plan, TWC engaged stakeholders and shared all comments received, but the intent of the recommendation is to formalize this policy to ensure a consistent approach to using input and provide assurance to stakeholders that their feedback is being considered.</p>

Texas Workforce Commission (continued)

As a part of the transfer of VR programs from DARS to TWC, the Sunset Commission modified several of the management recommendations developed to address DARS' administration of VR services with the intent that DARS would make immediate improvements and TWC would continue those efforts once the programs transferred. Sunset staff evaluated these five directives, four of which are still in progress, as explained in the chart below. For further discussion of DARS' implementation of VR-related directives, see the discussion on page 9.

Management Action	Implementation	
	Status	Comments
6. TWC should create clear, validated guidelines for vocational rehabilitation counselors to ensure better decision making for successful, cost-effective outcomes.	In Progress	The VR programs at TWC continue to follow the procedures DARS put in place to implement the recommendations. However, as TWC integrates the VR blind and general programs and implements recent federal regulations related to the 2014 federal Workforce Innovation and Opportunity Act (WIOA), the agency will need to improve VR counselor guidelines to ensure its combined VR program manual meets the full intent of the recommendation.
7. TWC should create a robust and consistent case review system for the Vocational Rehabilitation Program, no matter the nature of a person's disability.	In Progress	The VR programs at TWC continue to follow the procedures DARS put in place to implement the recommendations. However, as TWC integrates the VR blind and general programs and implements recent federal regulations related to the 2014 federal Workforce Innovation and Opportunity Act (WIOA), the agency may need to make additional changes to the case review system, as well as other processes and procedures.
8. Directs TWC and DARS to ensure employer relations staff from DARS' blind and general vocational rehabilitation programs are consolidated and work in tandem with their TWC counterparts to build and expand business relationships to increase employment opportunities for people with disabilities.	In Progress	As TWC works to integrate VR staff into its local workforce development boards and solutions centers, the agency will need to continue to expand its business relationships to increase employment opportunities for people with disabilities
9. Directs DARS to develop a strategy for assisting federal contractors to hire individuals with disabilities, and to task its employer relations staff with researching and anticipating similar federal or state initiatives in the future.	In Progress	As TWC works to integrate VR staff into its local workforce development boards and solutions centers, the agency will need to continue to improve the work DARS began by creating a unified approach to serving employers.

**STATE AUDITOR'S OFFICE
REPORT ON IMPLEMENTATION
OF SUNSET ADVISORY COMMISSION
MANAGEMENT ACTIONS**



A Report on

The Self-reported Implementation of Sunset Advisory Commission Management Actions

August 8, 2016

Members of the Legislative Audit Committee:

The State Auditor's Office has obtained the following entities' self-reported implementation status for 43 non-statutory recommendations (management actions) in the *Sunset Advisory Commission Report to the 84th Legislature*:

- Governor's Committee on People with Disabilities.
- State Office of Administrative Hearings.
- Texas Council on Purchasing from People with Disabilities.
- Texas Education Agency.
- Texas Workforce Commission.
- University Interscholastic League.

Definitions of Implementation Status

Fully Implemented: Successful development and use of a process, system, or policy to implement a management action.

Substantially Implemented: Successful development but inconsistent use of a process, system, or policy to implement a management action.

Incomplete/Ongoing: Ongoing development of a process, system, or policy to address a management action.

Not Implemented: Lack of a formal process, system, or policy to address a management action.

The entities reported that:

- They had fully or substantially implemented 24 (56 percent) of the 43 management actions.
- The implementation of 19 (44 percent) of the 43 management actions was incomplete or ongoing.

For the purposes of this project, auditors followed up on the implementation status of eight sampled management actions that four entities reported as fully implemented. Those management actions were directed to the State Office of Administrative Hearings, the Texas Education Agency¹, the Texas Workforce Commission, and the University Interscholastic League. Auditors verified that all eight of those management actions were fully implemented. Table 1 in the attachment to this letter summarizes the implementation status the State Auditor's Office determined for those eight management actions. Table 2 in the attachment to this letter summarizes the self-reported implementation status of all of the management actions at the entities included in this report.

¹ The Department of Licensing and Regulation provided the responses that auditors reviewed for one of the fully implemented management actions directed at the Texas Education Agency.

SAO Report No. 16-036

Robert E. Johnson Building
1501 North Congress Avenue
Austin, Texas 78701

P.O. Box 12067
Austin, Texas 78711-2067

Phone: (512) 936-9500
Fax: (512) 936-9400
Internet: www.sao.texas.gov

Members of the Legislative Audit Committee
August 8, 2016
Page 2

We appreciate the entities' cooperation with this report. If you have any questions, please contact Hillary Eckford, Audit Manager, or me at (512) 936-9500.

Sincerely,

Lisa R. Collier, CPA, CFE, CIDA
First Assistant State Auditor

Attachment

- cc: The Honorable Greg Abbott, Governor
Boards, commissions, and executive management of the following entities:
- Department of Licensing and Regulation
 - Governor's Committee on People with Disabilities
 - State Office of Administrative Hearings
 - Sunset Advisory Commission
 - Texas Council on Purchasing from People with Disabilities
 - Texas Education Agency
 - Texas Workforce Commission
 - University Interscholastic League

Objective, Scope, and Methodology

Texas Government Code, Section 325.012(d), provides for the State Auditor's Office's examination of the non-statutory recommendations (management actions) that the Sunset Advisory Commission (Commission) makes.

The objective of this project was to report on the implementation status of the management actions included in the *Sunset Advisory Commission Report to the 84th Legislature*. The Commission provided a list of 43 selected management actions to the State Auditor's Office for this report.

The project scope included six entities to which the Commission directed management actions in its report to the 84th Legislature.

For the purpose of this project, auditors requested the implementation status of the management actions from each entity. The project methodology consisted of reviewing a sample of management actions that the entities self-reported as fully implemented. For the sampled management actions, auditors reviewed supporting documentation for evidence of an entity's implementation of the management actions.

This project relied on self-reported information that the entities provided. In addition, the information in this report was not subject to the tests and confirmations that would be performed in an audit.

The following members of the State Auditor's staff performed the project:

- Rebecca Franklin, CISA, CICA, CFE, CGAP (Project Manager)
- Jennifer Fries, MS
- Michael Karnes, MBA
- Brianna C. Pierce, CPA (Quality Control Manager)
- Hillary Eckford, CIA (Audit Manager)



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Attachment

Section 1

Implementation Status Determined by the State Auditor's Office of Sunset Advisory Commission Management Actions

Table 1 shows the implementation status that the State Auditor's Office determined for the eight sampled, non-statutory recommendations (management actions) reviewed from the *Sunset Advisory Commission Report to the 84th Legislature*. Those management actions were directed to the State Office of Administrative Hearings, the Texas Education Agency¹, the Texas Workforce Commission, and the University Interscholastic League.

Table 1

Implementation Status of Sunset Advisory Commission Management Actions			
Entity	Management Action	Self-reported Implementation Status	Implementation Status Determined by Auditors
State Office of Administrative Hearings (SOAH)	Directs SOAH, by September 1, 2015, to require all agencies contracting for services to pay lump-sum amounts upfront either annually or quarterly, before SOAH renders services.	Fully Implemented	Fully Implemented
Texas Education Agency (TEA)	TEA should provide more centralized contract oversight and develop monitoring plans for all major contracts.	Fully Implemented	Fully Implemented
Texas Education Agency ^a	[The Texas Department of Licensing and Regulation] should make public final driver training school disciplinary orders and sanctions on its website.	Fully Implemented	Fully Implemented
Texas Education Agency	TEA should allow sufficient time for vendors to submit proposals for major contracts.	Fully Implemented	Fully Implemented
Texas Workforce Commission (TWC)	Directs TWC to establish and regularly update a consolidated policies and procedures manual for the child care program.	Fully Implemented	Fully Implemented
Texas Workforce Commission	Directs TWC to create a searchable and publicly accessible precedent manual for wage disputes.	Fully Implemented	Fully Implemented
University Interscholastic League (UIL)	Direct UIL, in consultation with the Legislative Council, to rewrite and reorganize its Constitution and Contest Rules by the start of the 2016-2017 school year.	Fully Implemented	Fully Implemented
University Interscholastic League	Direct UIL to create penalty guidelines and a precedents manual for its enforcement and eligibility determination processes.	Fully Implemented	Fully Implemented

^a Effective September 1, 2015, driver education was transferred from the Texas Education Agency to the Department of Licensing and Regulation, which provided the response to this management action that auditors reviewed.

¹ The Department of Licensing and Regulation provided the responses that auditors reviewed for one of the fully implemented management actions directed at the Texas Education Agency.

Section 2

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions

Table 2 presents information on the entities' self-reported status of implementation of management actions in the *Sunset Advisory Commission Report to the 84th Legislature*.

Table 2

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Governor's Committee on People With Disabilities (GCPD)		
The committee should provide information on disability-related services on its website.	Incomplete/Ongoing	<p>The GCPD regards this recommendation as an ongoing initiative. In August 2015 the GCPD updated its Texas Key Laws pages with information on disability programs resulting from the 84th Texas Legislative Session. The GCPD follows a regular process to update these pages after each legislative session. The committee is also gathering information to update the Resource Guide on Disability Topics in response to the most common types of constituent inquiries. Beginning in the 4th quarter of FY16 the GCPD has adopted a quarterly process for all GCPD staff member to review and update all GCPD web resources.</p> <p>A research specialist position is being posted to assist in gathering, analyzing and publishing links to state agency strategic plans and programs that serve Texans with disabilities.</p> <p>The GCPD is meeting with stakeholders and partners in Small Business and Economic Development Team to gather and publish information on self-employment opportunities for Texans with disabilities by the end of the 4th quarter of FY16.</p>
The Governor's Office and the committee should work together to re-evaluate the amount of funding necessary for the committee to carry out its functions, and to ensure its legislative appropriations request and budget reflect the actual fiscal needs of the committee.	Incomplete/Ongoing	<p>During my first week as the new GCPD Executive Director I met with the Office of the Governor's budget Director to gather and analyze the GCPD's appropriation and operating budget. My budget analysis determined additional funding opportunities that would help address the goals and mission of the GCPD and solve past GCPD challenges. Among the most significant challenges has been employee retention and frequent staff turn-over. Three of the five FTEs job descriptions were analyzed and reclassified with additional budget approval to meet the staffing goals of the committee.</p> <p>The GCPD is developing its 2017 budget in coordination with the OOG's [Office of the Governor's] Financial Services budget process. The GCPD's budget proposal aligns with its statutory obligations to support and engage with local mayor's committees through additional outreach travel and the planning of a leadership conference in FY2017 with mayors' committee members from across the state.</p>

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
State Office of Administrative Hearings (SOAH)		
Directs SOAH to evaluate, on a regular basis, the effectiveness of its caseload projections to predict actual caseload and report this information to the Legislative Budget Board.	Substantially Implemented - Expected to be Fully Implemented by September 1, 2016	<p>On March 24, 2015, SOAH provided the LBB, the Governor's Office, and Sunset with updated caseload projections. There were no material changes from amounts included in its LAR so no adjustment was needed.</p> <p>In accordance with Texas Gov't Code 2003.024, quarterly SOAH reviews actual labor hours by agency compared to prior projections. Adjustments are made to projections as indicated by past performance and any recent information solicited from the ALJ team lead or directly from the referring agency.</p> <p>In addition, during the summer of even-numbered year, SOAH requests all agencies for which it provides services (both general revenue and interagency contract agencies) to provide their caseload projections for the upcoming biennium. SOAH evaluates these projections, along with historical data and all other available information, and makes its projections for the caseload when preparing SOAH's LAR for the upcoming biennium. For the FY2018-2019 biennium, SOAH sent these projection letters in late May 2016.</p>
Directs SOAH, by September 1, 2015, to require all agencies contracting for services to pay lump-sum amounts upfront either annually or quarterly, before SOAH renders services.	Fully Implemented as of September 1, 2015	<p>SOAH renegotiated its interagency contracts during 2015 for the FY2016-2017 biennium using annual or quarterly lump-sum payments as provided in HB2154.</p> <p>The only exceptions, which could not be handled on a lump-sum basis, were: the IDEA contract (which are funded by pass-through federal funds, via the Texas Education Agency); contracts with two agencies that had not previously referred cases to SOAH (where there was no historical data to support a projection); and one-time contracts with groundwater conservation districts (non-state agencies).</p>
Directs SOAH to evaluate and improve its budget control processes and policies.	Incomplete/Ongoing	<p>SOAH evaluated and updated its written budget controls and policies, effective January 14, 2015. These include:</p> <ul style="list-style-type: none"> ▪ SOAH Standard Operating Procedures for Budgeting Process and Revenue Projections; ▪ Standard Operating Procedures for Establishing Distribution Codes in MIP; and ▪ Standard Operating Procedures for Salary Allocation in MIP to Fund 006 (Note - the 84th Legislature eliminated SOAH's funding from Fund 006 and replaced it with General Revenue). <p>These policies will be evaluated and updated again when CAPPs (Centralized Accounting and Payroll/Personnel System) is implemented.</p> <p>Ongoing, SOAH is evaluating internal audit recommendations for additional controls.</p>

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Directs SOAH to improve its performance evaluation process.	Substantially Implemented - Expected to be Fully Implemented by September 1, 2016	<p>Performance Evaluation input:</p> <ul style="list-style-type: none"> On February 10, 2016, SOAH adopted a policy on employee performance evaluations, which: requires all managers to meet with every employee regarding their evaluation and provide applicable guidelines for promotion; and allows for confidential feedback on managers performance. This policy is available on SOAH's Center Court intranet and is in the process of being incorporated into the Employee Handbook. The updates to the evaluation process were informed by input from staff and ALJS. <p>Guidelines for Promotion:</p> <ul style="list-style-type: none"> SOAH also adopted a policy concerning promotions for ALJs on February 3, 2015, and provided it to all ALJs. This policy is available to all ALJs on SOAH's Center Court intranet as well as in the ALJ Benchbook and the New-ALJ Handbook, and is in the process of being incorporated into the Employee Handbook. Support staff: SOAH is in the process of updating and clarifying its guidelines for promotions for support staff, and will incorporate such policy into its Employee Handbook upon completion. <p>Managers' Meeting:</p> <ul style="list-style-type: none"> The parameters by which the ALJs' work is judged is set out in detail in the ALJ Promotions. At SOAH policy, adopted February 3, 2015. This policy includes an explanation of the managers' meeting. An expanded clarification of the managers' meeting for ALJ evaluation was provided to all ALJs via email on May 20, 2015. SOAH will update this guidance as needed and provide via email contemporaneously with the annual evaluation process.
Directs SOAH to improve and formalize certain management tools.	Fully Implemented as of February 10, 2016	<p>SOAH adopted a Management Training Policy on December 9, 2014. The policy requires each team leader and manager to attend a management development program within 1 year of appointment to a management position. It also requires team leaders and other managers to obtain not less than 4 hours of management training each fiscal year.</p> <p>On February 10, 2016, SOAH adopted a policy on employee performance evaluations to improve consistency. The policy requires regular monitoring by team leaders and supervisors of the performance of all employees.</p> <p>It also requires team leaders to review data on ALJ performance quarterly, including timeliness of PFDs and final decisions, billable hours, training hours, other non-billable hours, ALR decisions issued, mediations conducted compensatory time claimed, and the number of PFDs (Proposals for Decision) and D&Os (Decisions & Orders) proofread. Team leaders are also required to observe or listen to at least one hearing per year by each home-team ALJ they supervise.</p> <p>SOAH has a PFD Due Date report that includes a list of all general-docket cases assigned to each ALJ and the due date for any pending PFDs or Decisions. This report is sent to each team leader monthly concerning the ALJs the team leader supervises. For tracking and analyzing PFDs that are modified by the referring agency, a monthly report is sent to the Chief ALJ, General Counsel, and all Team Leaders showing substantive changes to PFDs that have occurred during the previous 60 days.</p>

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Directs SOAH to track and analyze informal complaints and improve its customer service survey.	Fully Implemented as of March 15, 2016	SOAH adopted a Policy and Procedure on Handling Informal Complaints on December 8, 2014. In addition, SOAH reviewed and revised its policy on formal External Complaints on January 8, 2015. In March 2016, SOAH revised its survey process to attempt to reach significantly more parties in its cases. It will send the survey in cases that have left SOAH's jurisdiction in the relevant time period by dismissal, PFD, or D&O plus 30 days. It will send the survey to parties and attorneys in all applicable general docket cases instead of a random sample. For ALR cases, SOAH will send the survey to the attorneys representing DPS and defendants, and will use its best efforts to make the survey available to self-represented ALR defendants.
Directs SOAH to centralize or otherwise significantly improve its telephonic ALR hearings and take advantage of current technology for conference calls.	Substantially Implemented - Expected to be Fully Implemented by September 1, 2016	SOAH has determined that it is not feasible or efficient to centralize all telephonic ALR hearings in one location, due to space and staffing limitations. SOAH has investigated and taken action to improve the ability of its field offices to conduct telephonic hearings. All ALJs have been instructed on conferencing software that allows ALJs to add parties and witnesses to a telephone conference call despite limitations of the telephone service to the office. Additionally, SOAH worked with DIR to improve services to five field offices including the addition of fax lines, voicemail features or complete telephone system replacement. Finally, SOAH has begun work with DIR to convert the Austin office phone system to the capitol area VOIP (voice over internet protocol).
Directs SOAH to develop and maintain a comprehensive, plain-language guide for pro se parties	Incomplete/Ongoing	In early 2015, SOAH organized a Pro se Parties Project Team, to review SOAH's policies, procedures, web page, and other materials related to unrepresented parties. SOAH sent five ALJs from this group to the National Judicial College during July 13-16, 2015, to attend a continuing education course: Best Practices in Handling Cases With Self-Represented Litigants. This project team has prepared a new guide for unrepresented parties to assist them in understanding and preparing for SOAH hearings, which includes links to rules, statutes, and other resources. The guide is currently in the final editing stage and will be available in paper and on SOAH's website no later than September 1, 2016.
SOAH should require notices of hearing to include information about and a link to the pro se guide.	Substantially Implemented - Expected to be Fully Implemented by November 13, 2016.	SOAH has proposed to amend its procedural rule at 1 TAC § 155.401 to include the following language: "The notice of hearing shall include the following language in 12-point bold-face type: 'Parties that are not represented by an attorney may obtain information regarding contested case hearing on the public website of the State Office of Administrative Hearings at www.soah.texas.gov , or in printed format upon request to SOAH.'" The proposed rules were published in the Texas Register on May 13, 2016, and can be found at 41 TexReg 3365. The comment period for the proposed rules ends June 13, 2016, and SOAH expects to adopt the amended rules effective no later than November 13, 2016.

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Texas Council on Purchasing from People with Disabilities ^a		
TWC should re-evaluate the process for conducting Community Rehabilitation Program (CRP) compliance monitoring.	Incomplete/Ongoing	TWC staff have been working independently and with the newly established Advisory Committee to develop formal performance measures for the approximately 120 CRPs as well as the Central Nonprofit Agency (currently TIBH Industries) that will be included in the agency's normal performance reporting to the Commission. In addition, a plan outlining a regularly scheduled formal review of each CRPs performance is being developed that will insure each CRP is reviewed on a regular interval every 12-15 months. In addition, each CRP will be reviewed every 3 years to coincide with the CRP's re-certification. An additional TWC FTE has been assigned to the program to enable the expanded monitoring. This new review process will begin September 2016.
TWC should work with the comptroller and the central nonprofit agency to study the cost to the State of continuing to administer the State Use Program.	Incomplete/Ongoing	TWC has worked to develop a comprehensive understanding of the state use program as it currently operates. We have conducted several meetings with the Central Nonprofit Agency and selected CRPs to collect information concerning operating information and costs associated with operation of the program. Next steps will be to engage the Comptroller's Office and selected program customers and advocacy groups to establish the overall cost to administer and use the program as well as the fiscal and non-fiscal impact to the state if the program were modified, discontinued or no longer administered by the state.
Texas Education Agency (TEA)		
TEA should provide comprehensive information online about the student assessment procurement process and contracts to improve transparency.	Fully Implemented as of September 16, 2015	The student assessment solicitation schedule was posted to the agency's website. The agency also included all pertinent documents through award on the website.
TEA should allow sufficient time for vendors to submit proposals for major contracts.	Fully Implemented as of September 16, 2015	The agency added additional time for posting of major solicitations/contracts. The student assessment contract was posted for approximately 90 days which was 30 days more than the previous student assessment RFP. The agency's contract manual was also updated.
TEA should provide more centralized contract oversight and develop monitoring plans for all major contracts.	Fully Implemented as of September 16, 2015	Contract monitoring plans have been developed and implemented for major contracts. The agency's contract manual and training modules were also updated.
TDLR [Texas Department of Licensing and Regulation] should develop performance measures that help ensure driver training complaint investigations are resolved in a timely manner. ^b	Fully Implemented as of September 1, 2015	TDLR has six performance measures that relate to the investigation and resolution of complaints. These performance measures reflect complaints in all programs administered by TDLR. Driver Education and Safety complaints are incorporated into these performance measures.
TDLR should make public final driver training school disciplinary orders and sanctions on its website. ^b	Fully Implemented as of June 8, 2016	Final disciplinary actions are made available to the public through a search feature on TDLR's website, which pulls information from the Enforcement Division's electronic case management system. TDLR's Information Technology Division has confirmed that the search feature will retrieve disciplinary actions in the Driver Education and Safety program when any such actions become final.

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Texas Workforce Commission (TWC)		
Directs TWC to assist the division in making improvements to electronically track data from state agency personnel policy reviews and use this data to better manage the review process.	Fully Implemented as of August 13, 2015	A Rapid Process Improvement Review was conducted with facilitation of the TWC Process Improvement Director, Alfredo Mycue, and yielded the improvement of an electronic Upgraded Agency Tracking Worksheet. Data was collated, analyzed and included in the TWC Annual Report. (See information and tables 7-10 on pages 35-36). This data will also be used as part of the risk assessment process for determining agencies needing an on-site versus desk review and agencies that need a review more frequently than the six-year statutory schedule.
Directs TWC to study the costs, benefits, and impact on employers of collecting employee occupational information as part of employers' quarterly wage reports, and report its findings to the Legislature by December 1, 2016.	Incomplete/Ongoing	Data have been collected and the summary report is being drafted. September 1 target for submission to TWC Commissioners for approval.
Directs TWC to evaluate measures of the child care program's effectiveness in its internal monthly performance analysis.	Incomplete/Ongoing	TWC agreed with the recommendation to measure childcare performance outcomes and had planned to develop a set of measure consisting with the new performance accountability measures included in the Workforce Innovation & Opportunity Act. While WIOA is not a child care program, its measurement system focuses on employment and earnings outcomes and there is federal momentum to apply these measures to other workforce preparation/support programs (SNAP E&T is required to do so and draft TANF legislation that would do so is also under consideration). Unfortunately, although WIOA required the Departments of Education and Labor to publish performance/reporting specifications by July 2015 and to have final regulations by January 2016, the departments have missed both deadlines with the final regulations and specifications now expected to be issued within the next several weeks. Once issued and evaluated, TWC will determine how to best apply them to the subsidized childcare program.
Directs TWC to establish baseline board-level data on the Texas Rising Star program and evaluate impacts and trends as program changes progress.	Fully Implemented as of September 1, 2015	In January 2015, immediately prior to the implementation phase of the new TRS [Texas Rising Star] standards, TWC established TRS baseline level data by Board that included the number of TRS providers by star level. Full implementation of the TRS standards and tiered reimbursement rates became effective September 1, 2015 and TWC began monthly tracking of the number of TRS providers certified under the new standards compared to the baseline number. This trend analysis was reviewed monthly, and has been incorporated into the monthly management briefing materials beginning with the April 2016 briefing data.
Directs TWC to regularly gather feedback from boards on the quality of TWC's assistance in managing the child care program.	Fully Implemented as of June 30, 2016	TWC solicits feedback on the child care program through several mechanisms <ul style="list-style-type: none"> ▪ Quarterly the Workforce Development Division (WDD) Management Team meets with the Board Executive Directors Council ▪ Quarterly, the WDD Child Care Team meets with the Board Child Care Network, which includes staff from the Board and contractor level. TWC also solicits input from Boards on specific topics, special initiatives and development of program guidance through work groups and other methods. With the implementation of TRS, TWC established several mechanisms to receive input on the new TRS Standards:

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
		<ul style="list-style-type: none"> ▪ January 2016, the WDD Child Care Team met with Board/contractor TRS assessors and mentors to solicit input on improvements to the TRS assessment/mentor process and TRS measures; ▪ January 2016, TWC solicited input from TRS provider on recommendations to improve and streamline the TRS program certification standards and process. TRS provider working groups were held on January 11, 2016 in Austin; and on January 19, 2016 in Dallas. ▪ June-July 2016, the WDD Child Care Team sent edits and revisions to TRS Guidelines and TRS Technical Scoring Manual to all the Boards and TRS assessors/mentors for input. ▪ June 2016, the WDD Child Care Team surveyed the TRS assessors and mentors to solicit input on training needs and training topics for the scheduled August TRS training. ▪ In FY17, TWC will conduct regional TRS assessor/mentor training and will solicit input from assessors and mentors on program improvement. <p>Implementation of New Rules:</p> <ul style="list-style-type: none"> ▪ TWC utilized our Rapid Process Improvement (RPI) Framework to engage Boards in an RPI on Child Care Eligibility processes. A Workgroup was formed, and included representatives from 13 Board areas. This workgroup reviewed existing processes for determining child care eligibility, and compared those to new child care eligibility requirements going into effect 10/1/16 as a result of the reauthorization of the Child Care and Development Block Grant. Through the RPI process, recommendations were made to the eligibility process. Those recommendations were presented to the TWC Commissioner's, and are currently included in Proposed Child Care rules. ▪ June-July 2016, the WDD Child Care Team created an ad hoc Board workgroup to solicit input on implementing the new methodology for calculating income as required by the CCDBG Act Reauthorization. <p>Measurement Matters:</p> <ul style="list-style-type: none"> ▪ TWC Division of Operational Insight solicits input from Boards on its performance-setting methodology. <p>TWC also utilizes other public meeting opportunities to solicit input from child care stakeholders. In Fiscal Year 2016, several meetings were held across the state to provide opportunities for input: December 16, 2016 in Dallas and October 2, 2016 in Houston and December 3, 2016 McAllen. In addition, the Commission scheduled two public meetings to allow stakeholders to provide input into the Agency's Legislative Appropriations Request: June 7, 2016 San Antonio, and July 12, 2016 Austin.</p>
Directs TWC to establish and regularly update a consolidated policies and procedures manual for the child care program.	Fully Implemented as of September 1, 2015	The Child Care Services Guide was published September 2015, and is updated as needed based on federal or state policy changes. http://www.twc.state.tx.us/files/partners/child-care-services-guide-twc.pdf

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Directs TWC to conduct a study on potential methods of providing incentives to encourage parents to choose providers with a Texas Rising Star designation and include the results in its 2017 report to the Legislature.	Incomplete/Ongoing	<p>The potential methods of providing incentives to encourage parents to choose TRS providers must conform to the requirements for parent choice under the CCDF [Child Care Development Fund] regulations. With the passage of the CCDBG Act Reauthorization, ACF [Administration for Children and Families] on December 24, 2015, issued proposed revisions to the CCDF regulations, which includes revisions and clarifications related to parent choice and incentives for choosing quality. The proposed regulations clarify that the parent choice requirements should not be construed to prohibit states from providing incentives for parents to choose quality care.</p> <p>With this clarification, as part of TWC's rule changes to implement the CCDBG Act, TWC proposed allowing Boards to reduce a parent's assessed parent share of cost if a parent chooses a TRS provider.</p> <p>TWC will continue to work to identify other potential methods to provide incentives to encourage parents to select TRS quality providers, including a survey of other states' incentives in order to prepare a report on other potential incentives that may be feasible for TWC to consider.</p>
Directs TWC to create a searchable and publicly accessible precedent manual for wage disputes.	Fully Implemented as of September 1, 2015	<p>TWC tracks wage claim precedents for future updates. The precedent manual for wage disputes is searchable and publicly accessible.</p> <p>In addition, TWC is monitoring and developing a tracking mechanism for identifying any new precedents that would need to be added to the manual.</p>
Directs TWC to establish procedures and criteria for determining when policies clarified through precedents would be more appropriate for rulemaking.	Incomplete/Ongoing	TWC is developing a tracking mechanism identifying when precedent cases are cited.
Directs TWC to provide greater public access to written materials up for discussion in its open public meetings to facilitate the public's ability to follow and understand its deliberations.	Fully Implemented as of February, 23 2016	TWC fully implemented this item. TWC worked with website administration to post open meeting materials for TWC public policy meetings online in connection with the previously posted meeting agendas. The posted documents on the agency's website are accessible include links to the materials associated with posted commission meeting agenda items.
Directs TWC to work with DARS [Department of Assistive and Rehabilitation Services] and the Health and Human Services Commission [HHSC] to ensure the efficient transition of the Vocational Rehabilitation and related programs.	Incomplete/Ongoing	<p>As required by SB 208, TWC, DARS, and HHSC submitted the Plan for the Transfer of Vocational Rehabilitation Services and Other Services and Programs to the Health and Human Services Transition Legislative Oversight Committee on September 29, 2015. TWC continues to work closely with DARS and HHSC to ensure the successful transfer of VR services and related programs to TWC on 9/1/16. Management staff from the three agencies meets monthly as part of a transition steering committee. Also, 10 focus area teams, consisting of staff from all three agencies, work together on a daily basis to perform a wide variety of transition tasks.</p> <p>The public can find the Plan for the Transfer of Vocational Rehabilitation Services and Other Services and Programs at http://www.twc.state.tx.us/news/department-assistive-rehabilitative-services-program-transition under the "Resources" tab.</p>

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Directs TWC to integrate the newly transferred programs within the workforce system in a manner that minimizes any disruption in client services and satisfies federal requirements, so that federal funds are not jeopardized.	Incomplete/Ongoing	As required by SB 208, TWC, DARS, and HHSC submitted the Plan for the Transfer of Vocational Rehabilitation Services and Other Services and Programs to the Health and Human Services Transition Legislative Oversight Committee on September 29, 2015. This plan lays out strategies for ensuring the transition results in no disruption in client services and satisfies federal requirements. SB 208 also requires TWC to integrate its VR staff into the Local Workforce Development Boards and Workforce Solutions Offices by August 31, 2018. Pages 46 - 47 of the transition plan speak to the strategy for integrating VR staff into the Boards and Offices.
TWC, in conjunction with DARS, should develop a transition plan for the integration of the administration, management, and oversight of the blind and general Vocational Rehabilitation programs, no later than September 1, 2016. TWC and DARS must include a strategy for integrating the separate Vocational Rehabilitation programs.	Incomplete/Ongoing	As required by SB 208, TWC, DARS, and HHSC submitted the Plan for the Transfer of Vocational Rehabilitation Services and Other Services and Programs to the Health and Human Services Transition Legislative Oversight Committee on September 29, 2015. SB 208 also requires TWC to integrate into a single program the blind and general VR programs by October 1, 2017. Pages 45 - 46 of the transition plan speak to the strategy for integrating the blind and general VR programs. TWC and DARS program management staff are currently developing a detailed timeline, with associated tasks, to guide the process of integrating the two programs. Further, TWC will hold public hearings in early 2017 to gather input from stakeholders on this merger.
Directs DARS to take immediate steps to ensure access to services for people with multiple disabilities, no matter which division offers the services. TWC should continue this responsibility once the transfer of vocational rehabilitation services occurs.	Incomplete/Ongoing	According to information provided by DARS, this management action was implemented in December 2015. TWC's Workforce Development Division will continue to ensure access to services for people with multiple disabilities once VR services transfer to TWC on 9/1/16.
TWC should create clear, validated guidelines for vocational rehabilitation counselors to ensure better decision making for successful, cost-effective outcomes.	Incomplete/Ongoing	TWC's Workforce Development Division will take responsibility for ensuring these guidelines are in place and being followed by program staff once VR services transfer to TWC on 9/1/16.
TWC should create a robust and consistent case review system for the Vocational Rehabilitation Program, no matter the nature of a person's disability.	Incomplete/Ongoing	TWC's Workforce Development Division will take responsibility for ensuring this case review system is in place and being used consistently by program staff once VR services transfer to TWC on 9/1/16.
TWC should designate staff to monitor performance of vocational rehabilitation services statewide and within each local board area.	Incomplete/Ongoing	TWC's Operational Insight Division, in coordination with the Workforce Development Division, will take responsibility for ensuring performance monitoring occurs statewide and within each local board area once VR services transfer to TWC on 9/1/16.

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Directs TWC and DARS to ensure employer relations staff from DARS' blind and general Vocational Rehabilitation programs are consolidated and work in tandem with their TWC counterparts to build and expand business relationships to increase employment opportunities for people with disabilities.	Incomplete/Ongoing	According to information provided by DARS, DARS created a consolidated Business Relations Team in fall 2015. TWC's Workforce Development Division, working in partnership with the 28 Local Workforce Development Boards, will take responsibility for building and expanding business relationships to increase employment opportunities for people with disabilities once VR services transfer to TWC on 9/1/16.
Directs DARS to develop a strategy for assisting federal contractors to hire individuals with disabilities, and to task its employer relations staff with researching and anticipating similar federal or state initiatives in the future. TWC would carry on this strategy after vocational rehabilitation functions are transferred.	Incomplete/Ongoing	According to information provided by DARS, this management action was implemented in fall 2015. TWC's Workforce Development Division will continue to assist federal contractors in hiring people with disabilities once VR services transfer to TWC on 9/1/16.
University Interscholastic League (UIL)		
Direct UIL, in consultation with the Legislative Council, to rewrite and reorganize its Constitution and Contest Rules by the start of the 2016-2017 school year.	Fully Implemented as of August 1, 2016	The UIL formed the Review Advisory Committee (RAC), comprised of over thirty representatives from a diverse collection of stakeholders, to review the UIL Constitution and Contest Rules along with the purposes and policies they support, and to provide recommendations to the UIL Legislative Council. The RAC considered issues related to four main categories: Structure and Governance, Finances, Membership and Alignment, and Student Eligibility. The committee then worked to find consensus on recommendations to submit to the UIL Legislative Council for formal promulgation. Each proposed recommendation by the RAC was thoroughly vetted by the Legislative Council's Standing Committees and was presented to the full Legislative Council. The review process concluded with over fifty recommended proposals approved by the Legislative Council.
Direct the full Legislative Council to approve UIL's annual budget recommendations.	Fully Implemented as of June 17, 2015	The UIL Finance Committee has traditionally approved an annual budget in March because the full UIL Legislative Council met only once a year in October. In response to the Sunset Advisory Commission's recommendation, in June 2015 the UIL began convening an additional full Legislative Council meeting in June of each year to, among other things, approve a budget vetted and approved by the Finance committee.

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Direct UIL to improve how it tracks and reports all contest revenues and expenses.	Fully Implemented as of August 1, 2016	<p>The Legislative Council approved amended language to the Constitution that requires each District Executive Committee (DEC), or administrative equivalent, to submit a financial report to the UIL office on a form approved by the Executive Director and the chair of the Legislative Council by June 30th of each year.</p> <p>The report shall contain information showing receipts and disbursements for each district contest and event that was held over the course of the school year along with any of the DEC's account balances and other pertinent financial information. The UIL staff shall review all submitted reports, conduct any analysis the Executive Director deems appropriate and report any relevant information or findings to the Legislative Council at its annual fall meeting.</p>
Direct UIL to establish detailed procedural rules for its enforcement hearings.	Fully Implemented as of August 1, 2016	<p>The UIL addressed procedural rules for the State Executive Committee (SEC), District Executive Committees (DEC), Waiver Review Board (WRB), and the Sports Officials Committee (SOC) through the process of reviewing and the rewriting of the Constitution.</p> <p>Language was added to the Constitution that requires the process for DEC committee hearings to be published in the DEC Handbook. The RAC submitted required hearing processes, notes for DEC committee meetings and a template for hearing notices to the Legislative Council. The Legislative Council adopted the DEC hearing processes which were published in the DEC Handbook and made available on the UIL website.</p> <p>UIL staff worked with the SOC to adopt detailed Rules of the Sports Officials Committee which are posted on the UIL website. The rules adopted by the SOC establishes a meeting schedule and provides the criteria and process for gaining recognition as a new Chapter or Association. SOC has rules to address various issues, including review of criminal background checks that involve sports officials conduct and rule compliance.</p> <p>The SEC also adopted procedural rules that, consistent with current practice, establish a process for its hearings, including order of presentation, burden of proof, role of counsel and other relevant issues.</p>
Direct UIL to create penalty guidelines and a precedents manual for its enforcement and eligibility determination processes.	Fully Implemented as of August 1, 2016	<p>Detailed penalty guidelines were agreed upon by the RAC committee, vetted by a Standing Committee of the Legislative Council, and then passed by full Legislative Council. The penalty guidelines were added to the Constitution and provide each hearing panel with general guidance for what constitutes a violation, what factors enhance the violation, and what penalties accompany the violation.</p> <p>Language requiring each of the committees to adopt rules concerning the creation and maintenance of a precedent manual, which shall contain decisions of each committee that have sufficient precedential value to warrant publication, was also added to the Constitution.</p> <p>UIL staff worked with each committee to adopt rules concerning the precedent manual and created a process for drafting the written opinion, gaining approval by a majority of the committee members on the hearing panel that heard the case, and publishing the precedent on the UIL's website.</p>

Entities' Self-reported Status of Implementation of Sunset Advisory Commission Management Actions		
Management Action	Self-reported Implementation Status	Entity Comments
Direct UIL to establish a collaborative relationship with the UT Southwestern Medical Center's Texas Institute for Brain Injury and Repair.	Fully Implemented as of August 1, 2016	UIL is fully engaged in a collaborative relationship with UT Southwestern. UIL and UTSW have successfully created a public outreach program on concussions, using, among other things, videos involving UIL staff and star athletes to advise student athletes "when in doubt, sit it out" and provide other information regarding concussions. Both parties are fully committed to establishing a groundbreaking concussion research effort involving Texas schools and students. UIL and UTSW are in the process of putting together the personnel, tech support and funding that will support the researchers' efforts in this area. It is expected that the initial collection of data for this project will begin this fall.
<p>^a Effective September 1, 2015, the administrative functions of the Texas Council on Purchasing from People with Disabilities was transferred to the Texas Workforce Commission.</p> <p>^b Effective September 1, 2015, driver education was transferred from the Texas Education Agency to the Department of Licensing and Regulation, which provided the response to this management action.</p>		

Implementation of 2015 Sunset Recommendations

————— *Report Prepared By* —————

Danielle Nasr, *Project Manager*

Skylar Wilk

Brittany Calame

Sarah Kirkle, *Project Supervisor*

Ken Levine
Director

Sunset Advisory Commission

Location
Robert E. Johnson Bldg., 6th Floor
1501 North Congress Avenue
Austin, TX 78701

Mail
PO Box 13066
Austin, TX 78711

Website
www.sunset.texas.gov

Email
sunset@sunset.texas.gov

Phone
(512) 463-1300