

# Appendix I

## Statutory References by Goals

The following statutes affect agencies in the health and human services (HHS) system generally.

- 42 U.S. Code, Sections 1397-1397f. (Block Grants to States for Social Services)
- 42 U.S. Code, Chapter 126. (Equal Opportunity For Individuals With Disabilities, also known as the Americans with Disabilities Act)
- Texas Government Code, Sections 531.0244-531.02481. (covering interagency, regional, and community planning for people with disabilities)
- Texas Government Code, Section 531.055. (Memorandum of Understanding on Services for Persons Needing Multiagency Services)
- Texas Government Code, Title 10. (General Government)
- H.B. 1, 78<sup>th</sup> Legislature, Regular Session, 2003. (2004-05 General Appropriations Act)
- H.B. 2292, 78<sup>th</sup> Legislature, Regular Session, 2003.

All the HHS agencies comply with the following federal statutes: the Civil Rights Acts, the Age Discrimination Act of 1975, the Equal Employment Opportunities Act of 1972, Executive Order No. 11246 regarding Affirmative Action, and the Pregnancy Discrimination Act.

## Health and Human Services Commission

The following statutes affect the Health and Human Services Commission generally.

- Texas Government Code, Chapter 531. (Health and Human Services Commission)

### Goal 1: HHS Enterprise Oversight and Policy

- Texas Human Resources Code, Chapter 112. (Texas Council for Developmental Disabilities authorizing statute)
- Section 1.03, H.B. 2292, 78<sup>th</sup> Legislature, Regular Session, 2003. (regarding general responsibility for HHS agencies)

- Section 2.06, H.B. 2292, 78<sup>th</sup> Legislature, Regular Session, 2003. (regarding call centers)
- Section 2.19, H.B. 2292, 78<sup>th</sup> Legislature, Regular Session, 2003. (regarding the Office of the Inspector General)

## **Goal 2: Medicaid**

- 42 U.S. Code, Sections 1396-1396v. (Grants to States for Medical Assistance Programs, also known as Medicaid)
- Texas Government Code, Chapter 533. (Implementation of Medicaid Managed Care Program)
- Texas Government Code, Chapter 534. (Locally Based Medicaid and other Related Health Care Initiatives)
- Texas Human Resources Code, Chapter 32. (Medical Assistance Program, also known as Medicaid)

## **Goal 3: CHIP Services**

- 42 U.S. Code, Sections 1397aa-1397jj. (State Children's Health Insurance Program (CHIP))
- Texas Health & Safety Code, Chapter 62. (Child Health Plan for Certain Low-Income Children (CHIP))

## **Goal 4: Encourage Self Sufficiency**

- 7 U.S. Code, Chapter 51. (Food Stamp Program)
- 7 U.S. Code, Chapter 102. (Emergency Food Assistance)
- 8 U.S. Code, Chapter 12. (Immigration and Nationality)
- 42 U.S. Code, Sections 601-619. (Block Grants to States for Temporary Assistance for Needy Families)
- 42 U.S. Code, Sections 651-669b. (Child Support and Establishment of Paternity)
- 42 U.S. Code, Sections 670-679b. (Federal Payments for Foster Care and Adoption Assistance)
- 42 U.S. Code, Chapter 13. (School Lunch Programs)
- 42 U.S. Code, Chapter 13a. (Child Nutrition)
- 42 U.S. Code, Chapter 67. (Child Abuse Prevention and Treatment and Adoption Reform)
- 42 U.S. Code, Chapter 110. (Family Violence Prevention and Services)
- Texas Family Code, Chapter 231. (Title IV-D Services)

- Texas Government Code, Chapter 752. (Immigration)
- Texas Health & Safety Code, Chapter 63. (Health Benefits Plan for Certain Children (for immigrant children in low-income families))
- Texas Human Resources Code, Chapter 31. (Financial Assistance and Service Programs)
- Texas Human Resources Code, Chapter 33. (Nutritional Assistance Programs)
- Texas Human Resources Code, Chapter 34. (State Temporary Assistance and Support Services Program)
- Texas Human Resources Code, Chapter 51. (Family Violence Centers)

## Department of Aging and Disability Services

The following statutes affect the Department of Aging and Disability Services generally.

- 42 U.S. Code, Sections 1395-1395ggg. (Health Insurance for Aged and Disabled, also known as Medicare)
- 42 U.S. Code, Sections 1396-1396v. (Grants To States For Medical Assistance Programs, also known as Medicaid)
- 42 U.S. Code, Chapter 35. (Programs for Older Americans, also known as the Older Americans Act)
- Texas Health & Safety Code, Title 7. (Mental Health and Mental Retardation)
- Texas Human Resources Code, Chapter 22. (General Functions of Department Of Human Services)
- Texas Human Resources Code, Title 6. (Services for the Elderly, including the authorizing statute for the Texas Department on Aging)
- Texas Human Resources Code, Chapter 161. (Department of Aging and Disability Services)

### Goal 1: Long Term Care

- Texas Government Code, Section 531.043. (Long-Term Care Vision)
- Texas Government Code, Chapter 2109. (Volunteers)
- Texas Health & Safety Code, Chapter 531. (Provisions Generally Applicable to the Texas Department of Mental Health and Mental Retardation)
- Texas Human Resources Code, Chapter 32. (Medical Assistance Program)
- Texas Human Resources Code, Chapter 35. (Support Services for Persons with Disabilities)

## **Goal 2: Regulatory and Licensing Services**

- Texas Health & Safety Code, Chapter 142. (Home and Community Support Services)
- Texas Health & Safety Code, Chapter 242. (Convalescent and Nursing Homes and Related Institutions)
- Texas Health & Safety Code, Chapter 247. (Assisted Living Facilities)
- Texas Health & Safety Code, Chapter 252. (Intermediate Care Facilities for the Mentally Retarded)
- Texas Health & Safety Code, Chapter 255. (Quality Assurance Early Warning System for Long-Term Care Facilities; Rapid Response Teams)

## **Department of Assistive and Rehabilitative Services**

The following statutes affect the Department of Assistive and Rehabilitative Services generally.

- Texas Human Resources Code, Chapter 73. (Interagency Council On Early Childhood Intervention Services)
- Texas Human Resources Code, Chapter 81. (Texas Commission for the Deaf and Hard of Hearing)
- Texas Human Resources Code, Chapter 91. (Texas Commission for the Blind)
- Texas Human Resources Code, Chapter 111. (Texas Rehabilitation Commission)
- Texas Human Resources Code, Chapter 117. (Department of Assistive and Rehabilitative Services)

## **Goal 1: Children with Disabilities**

- 20 U.S. Code, Chapter 33. (Education of Individuals with Disabilities, also known as the Individuals with Disabilities Education Act)

## **Goal 2: Persons with Disabilities**

- 20 U.S. Code, Chapter 6A. (Vending Facilities for Blind in Federal Buildings)
- 20 U.S. Code, Chapter 33. (Education of Individuals with Disabilities, also known as the Individuals with Disabilities Education Act)
- 29 U.S. Code, Chapter 16. (Vocational Rehabilitation and Other Rehabilitation Services)

- 29 U.S. Code, Chapter 30. (Workforce Investment Systems)
- Texas Education Code, Section 29.011. (Transition Planning)
- Texas Education Code, Section 54.205. (Blind, Deaf Students)
- Texas Human Resources Code, Chapter 82. (Confidentiality of Interpreted, Transliterated, or Relayed Conversations)
- Texas Human Resources Code, Chapter 94. (Vending Facilities Operated by Blind Persons)
- Texas Utilities Code, Section 56.151. (Specialized Telecommunications Assistance Program)

### **Goal 3: Disability Determination**

- 42 U.S. Code, Sections 421, 423, 1382, and related sections. (Social Security Act: Federal Old-Age, Survivors, and Disability Insurance Benefits)

## **Department of Family and Protective Services**

The following statutes affect the Department of Family and Protective Services generally.

- Texas Human Resources Code, Chapter 40. (Department of Protective and Regulatory Services)

### **Goal 1: Protect Clients by Developing and Managing a Service Delivery System**

- 42 U.S. Code, Sections 620-629i. (Child and Family Services)
- 42 U.S. Code, Sections 670-679b. (Federal Payments for Foster Care and Adoption Assistance)

## **Department of State Health Services**

The following statutes affect the Department of State Health Services generally.

- Texas Health & Safety Code. (all titles)

## **Goal 1: Preparedness and Prevention Services**

- 42 U.S. Code, Sections 300k-300n-5. (Preventive Health Measures with Respect to Breast and Cervical Cancers)
- 42 U.S. Code, Sections 701-710. (Maternal and Child Health Services Block Grant)
- 42 U.S. Code, Sections 1396-1396v. (Grants to States for Medical Assistance Programs, also known as Medicaid)
- Texas Code of Criminal Procedure, Chapter 63. (Missing Children and Missing Persons)
- Texas Family Code, Chapter 2. (The Marriage Relationship)
- Texas Family Code, Title 5. (The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship)
- Texas Government Code, Chapter 418. (Emergency Management, implementing the Texas Disaster Act of 1975)
- Texas Occupations Code, Chapter 2152. (Regulation of Circuses, Carnivals, Zoos)
- Executive Order RP-01. (Emergency Preparedness Council)

## **Goal 2: Community Health Services**

- 42 U.S. Code, Sections 300-300a-8. (Population Research and Voluntary Family Planning Programs)
- 42 U.S. Code, Sections 300x-300x-66. (Block Grants Regarding Mental Health and Substance Abuse)
- 42 U.S. Code, Sections 701-710. (Maternal and Child Health Services Block Grant)
- Texas Code of Criminal Procedure, Chapter 46. (Insanity As Defense)
- Texas Code of Criminal Procedure, Chapter 46b. (Incompetency to Stand Trial)
- Texas Education Code, Chapter 38. (Health and Safety)
- Texas Family Code, Chapter 55. (Proceedings Concerning Children with Mental Illness or Mental Retardation)

## **Goal 3: Hospital Facilities Management and Services**

- Texas Code of Criminal Procedure, Chapter 46. (Insanity As Defense)
- Texas Code of Criminal Procedure, Chapter 46b. (Incompetency to Stand Trial)
- Texas Family Code, Chapter 55. (Proceedings Concerning Children with Mental Illness or Mental Retardation)

## **Goal 4: Consumer Protection Services**

- Texas Alcoholic Beverage Code, Section 106.115. (Attendance at Alcohol Awareness Course; License Suspension)
- Texas Code of Criminal Procedure, Article 42.12, Section 11 (a) (15). (Basic Conditions of Community Supervision)
- Texas Insurance Code, Article 3.51-9. (Availability of Chemical Dependency Coverage)
- Texas Insurance Code, Article 21.52. (Right to Select Practitioner Under Health and Accident Policies)
- Texas Occupations Code, Chapter 104. (Healing Art Practitioners)
- Texas Occupations Code, Chapter 504. (Chemical Dependency Counselors)
- Texas Transportation Code, Sections 521.374-376. (regarding authority to certify drug offender education courses)

