



Texas Catholic Conference Legislative Agenda Items in Budget

The following is a summary of our public policy priorities that include appropriations in the 2010-2011 Texas Budget.

Life Issues:

Support efforts to assure that Woman's Right to Know brochures are distributed appropriately.

The budget states that institutions of higher education that use appropriated money to support a student health center or similar facility are required to make the current edition of the brochure published by the Department of State Health Services entitled "A Woman's Right to Know" available to female students (Sec. III-239). This is the same statement that was included in the last budget regarding these brochures. There are no specific instructions on how to ensure that the brochures are distributed appropriately.

Support state funding to abortion alternative providers.

A total of \$8 million is appropriated to the alternatives to abortion program, an increase of \$3 million from the last budget (Sec II-77). The performance target of this program is 32,000 people served over the biennium (Sec II-79).

Stop all state funding to abortion providers.

The budget states that no funds can be used to pay for the direct or indirect costs (including overhead, rent, phones and utilities) of abortion procedures provided by contractors of the department. In addition, no funds appropriated for Family Planning Services shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures, or to dispense prescription drugs to minors without parental consent (Sec. II-59).

Furthermore, the budget states that "no funds appropriated for Medicaid Family Planning, shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures... Of funds appropriated for Medicaid Family Planning, no state funds may be used to dispense prescription drugs to minors without parental consent. An exemption shall be allowed for emancipated 16- and 17-year old parents (Sec. II-89)."

Support Abstinence Sexual Education and Oppose Family Planning Services

\$1.1 million is appropriated toward abstinence sexual education, which is a 90% or \$10 million decrease in funding from last legislative session. These programs must present abstinence from sexual activity as the preferred choice of behavior for unmarried persons and emphasize that abstinence from sexual activity, used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted disease, and infection with human immunodeficiency virus or acquired immunodeficiency syndrome (Sec. II-59).

The budget appropriates \$110 million for Family Planning Services listed under the Community Health Services B.13 Strategy, an increase of \$8.8 million from the last budget. It is estimated that money will go to providing services to 533,200 people over the biennium (Sec. II-46, 49). The budget emphasizes that up to \$10 million in funds designated in this strategy must give precedence to Federally Qualified Health Centers (FQHCs), which assure that recipients receive comprehensive primary and preventive care in addition to family planning services, before funding non-FQHC contractor (Sec. II-65). The Department of State Health Services is directed to re-allocate funds which are available to all providers to ensure that

the funds appropriated in this strategy are fully utilized for family planning services and to prevent the underutilization of the funds appropriated (Sec. II-65).

Medicaid Family Planning budget for the biennium is \$46 million, which is a decrease of approximately \$50 million from the last budget (183). Federal Qualified Health Centers may be reimbursed for up to three payments per client visit per calendar year (Sec. II-92).

Oppose any legislation that would allow or fund embryonic stem cell research. Support ban on all forms of human cloning, including opposing legislation that allows for the creation of cloned embryos that would be destroyed.

No appropriations for embryonic stem cell research or cloning were explicitly made. There is a chance that funds appropriated for the Cancer Prevention fund or other research funds may go toward these types of research.

Immigration

Oppose attempts to reduce access to healthcare for immigrants.

The budget appropriates \$34 million toward Immigrant Children's Health Insurance, a decrease of \$6.7 million from the last budget. There is also approximately \$10,000 from Tobacco settlement receipts appropriated toward Immigrant Children's Health Insurance (Sec. II-77, Sec. IX-43).

Education

Support expansion of school breakfast program to include state subsidies for universal free breakfast program offered by the USDA.

The budget appropriates \$3 billion to child nutrition programs (an increase of \$270 million) and \$49 million to support nutrition programs in schools (an increase of \$26 million) (Sec III-2, Sec VI-2). A total of \$670 million in Federal Funds and \$110,000 in General Revenue Funds are appropriated for several nutrition programs, including the school breakfast program (Sec. VI-6). Additionally, the Texas Education Agency for the 2010-11 biennium is given \$2.9 billion out of Federal Funds and \$29 million out of the General Revenue Fund to provide reimbursement for the National School Lunch Program, the After School Care Program, the Seamless Summer Option, and the School Breakfast Program (Sec. VI-7).

Support a School Choice experimental program to ensure equal educational choices for poor families.

The budget explicitly prohibits funds appropriated for the Texas Education Agency to be used to pay for a public education voucher program or a public education voucher pilot program if the program uses federal funds or state tax dollars to pay tuition for children in grades 1 through 12 to attend a private school.

However, this prohibition does not apply to:

1. payments for services to a private or nonprofit entity so long as students receiving the services remain enrolled in public school;
2. payments, including tuition, for students with disabilities placed in a private school or residential facility by a local admission, review, and dismissal committee to the extent required under federal law; or
3. payments under other programs specifically authorized by federal law (Sec. III-56).

Support efforts to reduce high school drop-outs.

Under the Texas High School Completion and Success Initiative, the budget states that the Texas Education Agency shall allocate \$100 million in General Revenue for the biennium to support research-based instructional support and professional development to secondary and middle schools with students at-risk of dropping out of school, conduct a study to be reported to the Legislature regarding the high dropout rates of students with limited English proficiency and students with parents with limited English proficiency, and for programs to support the improvement of high school graduation rates and postsecondary readiness (Sec. III-18). This is a decrease of approximately \$6 million from the last budget. The estimated dropout rate over the biennium is 2.6%, which is down 0.2% from the last biennium estimate.

In addition, another \$320,000 for the biennium is allocated for the purpose of collecting and making available best practices information concerning public school dropout prevention and recovery (Sec. III-25).

Health & Human Services

CHIP Funding

Over the biennium, \$2 billion is included the budget for CHIP Services, which include CHIP, Immigrant Children's Health Insurance, School Employee Children Insurance, CHIP Perinatal services, and the CHIP vendor drug program (Sec. II-77). This is an increase of 14% or \$250,000 from last year. The budget predicts that the total number of CHIP program recipients per month will be 530,501 people, with an average cost of \$152 per person in 2010 and 537,742 people, with an average cost of \$153 per person in 2011 (Sec. II-79).

The budget does explicitly state that in the event that the Health and Human Services Commission receives less CHIP Federal Funds than are anticipated for CHIP Services, the commission is authorized to prioritize services to recipients of the traditional CHIP program and that service to those eligible for the CHIP Perinatal program may be a secondary priority (Sec. II-89).

Increase access to mental health care, including services for the homeless.

Over the biennium, adult mental health services receives \$560 million in appropriations, while mental health services for children receives \$130 million. Community mental health crisis services received \$166 million (Sec. II-46). Mental health state and communities were appropriated a total of \$828 million while \$53 million was appropriated for capital repair and renovation of mental health facilities (Sec. II-47). Approximately \$147 million more was appropriated for the previously mentioned purposes than was appropriated during the last biennium.

A total of \$190 million is appropriated for poor and homeless programs, \$20 million more than what was appropriated for the last biennium (Sec. VII-2). \$10 million per year is appropriated to the Department of Housing and Community Affairs (TDHCA) for the purposes of assisting regional urban areas in providing services to homeless individuals and families, including services such as case management, and housing placement and retention (Sec. VII-8). \$3.5 million dollars over the biennium is appropriated for Education for Homeless Children and Youth, and \$41.5 million over the biennium is appropriated for Homelessness prevention (Sec. XII-6). Another \$31 million was appropriated for mental health services programs for the Texas Department of Criminal Justice (Sec. V-25).

Support initiatives in public health related to obesity, cancer prevention, and healthy lifestyles.

There are various sources of funding for this priority. \$20 million is appropriated over the biennium for grants to school districts for the support of in-school physical education and fitness programs for students in grades six through eight. This is the same amount that was appropriated for the last biennium for this purpose. Programs receiving grant money must further the goal of reducing childhood obesity and Type II

diabetes in school districts that have proportionately high numbers of economically disadvantaged students (Sec. III-23).

The Center for Obesity, Diabetes, and Metabolism Research is appropriated \$18 million over the biennium, the same amount as for the last biennium (Sec. III-155). Should the state receive above a certain amount of funding via the Prevention and Wellness federal stimulus funds, the Department of State Health Services (DSHS) is required to allocate up to \$1.5 million in federal stimulus funds in each fiscal year of the 2010-11 biennium to develop a pilot project that would create an online medical home targeting obesity and other chronic diseases for selected populations (Sec. XII-10).

Under the goal of Cancer Research, \$390 million is appropriated over the biennium to award cancer research grants, an increase of \$385 million, or 65 times the amount appropriated for the last biennium. An additional \$43 million is in the budget for cancer prevention grants and services (Sec. I-13). The Department of State Health Services is appropriated \$1.9 million and one FTE per year for the purpose of enhancing the infrastructure of the cancer registry (Sec. IX-77).

\$4.8 million is appropriated to the Texas Tech University Health Sciences Center for cancer research for new research opportunities for clinical trials in rural and underserved areas of Texas (Sec. III-184). Another \$4 million over the biennium is appropriated for the Breast Cancer Research Program (Sec. III-168). In addition, commission from the "Texans Conquer Cancer" license plate is expected to generate \$30,000 for the Cancer Prevention and Research Institute of Texas (Sec. IX-54).

Support the expansion of the Cord Blood Bank.

\$5 million is appropriated for umbilical cord blood bank funding, the same amount as was appropriated for the last biennium. The budget states that the Health and Human Services Commission shall enter into a contract with a public cord blood bank in Texas for \$4 million for the gathering and retention of umbilical cord blood from live births at its unrelated cord blood bank for the primary purpose of making the umbilical cord blood available for transplant purposes. The remaining \$1 million will be used to enter into contract with a Texas academic health institution for the primary purpose of research leading to new cures derived by the usage of stem cells from umbilical cord blood (Sec. II-94, 95).

Promote funding for adult stem cell research.

In addition to the aforementioned funding for umbilical cord stem cell research, the University of Texas Health Science Center-Houston's Heart Institute is appropriated \$5 million for its adult stem cell program (Sec. XII-13). No money was appropriated specifically for adult stem cell research in the last biennium.

Support efforts to increase access to affordable housing.

Approximately \$120 million is appropriated for affordable housing, \$14 million more than what was appropriated for the last budget year. These funds will go to several programs including the housing trust fund, section 8 rental assistance, federal tax credits, and federal mortgage loans (Sec. VII-1,2). The budget also appropriated \$454,000 for the biennium for the purpose of promoting affordable housing for the elderly (Sec. II-13).

Criminal Justice Reform

Increase funding and support for the chaplain corps within the Texas Department of Criminal Justice (TDCJ), including ensuring access to inmates by all chaplains.

Chaplains received a salary increase of 3.5% for both the 2010 and 2011 fiscal years. A maximum salary rate for Chaplain interns was set at \$2,247 per month (Sec. II-113).

Support increased funding for the community supervision and parole divisions of the TDCJ, including funding for the training and salaries of officers in those areas.

The budget appropriates \$560 million over the biennium for programs to provide Prison Diversions through Probation & Community-based Programs, which is \$15 million more than what was appropriated in the last budget. These programs include: basic supervision, diversion programs, community corrections, and the Treatment Alternatives to Incarceration Program (Sec. V-11). Over the biennium, \$309 million has been appropriated to operate the parole system, an appropriation which includes the costs for parole release processing, parole supervision, halfway house facilities, and immediate sanction (Sec. V-12). This amount is \$60 million less than what was appropriated to operate the parole system in the last biennium.

Provide an equitable pay scale for correctional officers, including funding for training.

The budget authorizes a salary adjustment for correctional officers to rates within the designated salary group for the purpose of recruiting, employing, and retaining career correctional personnel (Sec. V-16). The estimated turnover rate of Correctional Officers is 18% per year for 2010 and 2011. Juvenile correctional officers are also authorized to receive a salary adjustment for the purpose of recruiting, employing, and retaining career juvenile correctional personnel; the juvenile turnover rate is estimated to be 35% per year for 2010 and 2011 (Sec. IV-1, Sec. V-61).

In addition, \$8.9 million is appropriated for Correctional Officer Training; specifically, the Texas Department of Criminal Justice (TDCJ) shall provide at least 284 hours of training for new correctional officers (Sec. V-22). This is the same number of training hours set in last year's budget. The budget also requires TDCJ to educate correctional officers on the importance of preventing sexual assault via the Safe Prisons Program, which is funded in the budget (Sec. V-22).

The budget also requires the Texas Department of Criminal Justice to develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management (Sec. V-22). Reduction of the turnover rates for juvenile correctional officers is also specifically listed (Sec. V-61).

The Governor vetoed a bill that would have allowed for a total of \$1.3 million to be used for student loan repayment for certain correctional officers (Sec. IX-76).

Support full implementation & funding for the Indigent Defense Act.

The budget appropriates \$59 million toward Indigent Defense Standards and Services over the biennium, \$28 million more than what was appropriated in the last budget (Sec. IV-23). Of these funds, \$1.7 million is appropriated for the administration of the Task Force on Indigent Defense, which shall have authority to make grants to counties from the Fair Defense Account (Sec. IV-26). It is estimated that 95% of Texas counties will receive state funds for Indigent Defense in both 2010 and 2011 (Sec. IV-24). Ten Full-Time-Equivalents are allocated for the Indigent Defense (Sec. IV-25).

Another \$100,000 is appropriated toward D.1.10. Strategy Indigent Inmate Defense (Sec. IV-33).

The Court of Criminal Appeals is appropriated an amount not to exceed \$1.3 million in fiscal year 2010 and \$1.4 million in fiscal year 2011 to contract with a statewide professional association of criminal defense attorneys and other entities to provide continuing legal education courses, programs and technical assistance projects for criminal defense attorneys who regularly represent indigent defendants in criminal matters (Sec. IV-5).

Support the creation of an Innocence Commission in Texas.

\$800,000 of money appropriated for Indigent Defense for the biennium is set to be used by the Task Force on Indigent Defense to contract with law schools at the University of Houston, the University of

Texas, Texas Tech University, and Texas Southern University for innocence projects (Sec. IV-26). This is the same amount that was appropriated during the last budget cycle.

Support the creation of an Office of Capital Writs and the expansion of public defenders offices throughout the state to ensure that all people are given the opportunity to quality counsel.

The Office of Capital Writs is appropriated \$1 million for fiscal year 2011, and also given 3.3 full-time-equivalent positions (Sec. IX-90).

A total of \$646,000 is appropriated toward death penalty representation, 64% or \$354,000 less than the last budget cycle appropriation. Another \$705,000 is appropriated for Habeas representation, \$120,000 more than was appropriated in the last budget cycle (Sec. IV-32).

*Budget appropriation amounts are rounded to a maximum of two significant figures. Please note that this budget analysis may not include all funding sources relevant to TCC public policy priorities.

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