



Travis County Commissioners Court Agenda Request

Meeting Date: Tuesday, March 12, 2013
Prepared By/Phone Number: Deece Eckstein, 854-9754
Elected/Appointed Official/Dept. Head: Deece Eckstein, 854-9754
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

AT 11:00 A.M.:

CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING:

- A. UPDATE ON LEGISLATIVE ACTIVITIES;
- B. LEGISLATION RELATING TO FUNDING OF THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM;
- C. LEGISLATION RELATING TO ELECTRONIC VOTER REGISTRATION, INCLUDING [HB 313](#), [HB 216](#) AND [SB 315](#); AND,
- D. ADDITIONS TO THE PRIORITIES, POLICY POSITIONS AND THE POSITIONS ON OTHER PROPOSALS SECTIONS OF THE TRAVIS COUNTY LEGISLATIVE AGENDA.

SUMMARY AND IGR COORDINATOR RECOMMENDATION:

IGR recommends that the Court:

1. Approve a letter to be sent by the Court to leaders of the Texas Legislature and members of the Travis County delegation;
2. Support legislation to enable electronic voter registration in Texas, including HB 216, HB 313 and SB 315; and,
3. Modify the Travis County Legislative Agenda as proposed in the attached Motion in Writing.

BACKGROUND:

1. Last Friday was the "deadline" for filing bills. Bills for all the Court's legislative priorities have been filed, except for the civil filing fee bills which, because they have a local component, cannot be filed before March 16.

2. Committee hearings have already been scheduled on several of the Court's priorities. IGR is working with our legislative sponsors and key county staffers to prepare testimony and talking points for the bills, and are visiting committee members to answer questions about, and secure support for, the bills.
3. The Senate Finance Committee is finalizing their version of the state budget, and even holding an unusual Saturday meeting on March 9. The House Appropriations Committee is also marking up its version of the budget bill.
4. As of Thursday, March 7, 4,297 bills and joint resolutions have been filed. We are tracking 1,064 of them through the ATLAS system, and have received 878 analyses from the county's policy experts.

ISSUES AND OPPORTUNITIES:

5. Travis County, through Central Health, participates in the Disproportionate Share Hospital (DSH) funding program, using taxpayer dollars to draw down federal money to reimburse both public and for-profit hospitals for the charity care they provide. The Legislature is discussing the future of this program in the light of the 1115 Waiver and other changes to the Medicaid program. Tom Suehs, former Commissioner of Health and Human Services, and King Hillier, the director of intergovernmental relations for the Harris County Hospital District, will represent the Alliance for Local Control of Healthcare of which Central Health is a member to brief the Court and explain how proposed changes could detrimentally affect county taxpayers.

IGR recommends that the members of the Court approve and sign the proposed letter to Governor Perry, Lieutenant Governor Dewhurst, and Speaker Joe Straus, and have copies distributed to members of the Travis County legislative delegation. IGR also recommends that the Court add the following to its Policy Positions:

Oppose legislation or budgeting decisions that weaken local control and mandate that Central Health transfer taxpayer dollars to fund the DSH program.

6. Bruce Elfant, the Tax Assessor-Collector, also manages the voter registration efforts of the county. He will brief the Court on legislative

proposals to allow online voter registration, which supporters argue is more efficient and cost-effective over time. Fifteen other states already permit this option.

7. IGR recommends that the Court adopt the changes to the Travis County Legislative Agenda contained in the attached Motion in Writing. These changes, with the exception of the DSH local control position, have all been previously approved by the Court. That date of the Court's action in all those cases is indicated.

FISCAL IMPACT AND SOURCE OF FUNDING: Not applicable.

REQUIRED AUTHORIZATIONS: None.

NAMES, PHONE NUMBERS AND EMAIL ADDRESSES OF PERSONS WHO MIGHT BE AFFECTED BY OR BE INVOLVED WITH THIS REQUEST:

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ATTACHMENTS:

- A. Bill Status Report, March 7, 2013.
- B. Alliance for Local Control of Healthcare, briefing memo on DSH funding, March 4, 2013.
- C. Alliance for Local Control of Healthcare, one-pager on DSH funding issues, March, 2013.
- D. Draft letter from the Commissioners Court to state leaders, for review, adoption and signature on March 12, 2013.
- E. Representative Mark Strama, House Bill 313, 83rd Texas Legislature, filed February 11, 2013.
- F. Bill Analysis and Talking Points, HB 313, March 7, 2013.
- G. Motion in Writing regarding amendments to the Travis County Legislative Agenda, March 12, 2013.

AS OF	WEEK	1	2	3	4	5	6	7	8	9	10
THURSDAY		10-Jan	17-Jan	24-Jan	31-Jan	7-Feb	14-Feb	21-Feb	28-Feb	7-Mar	14-Mar
	HBs	446	550	686	845	1,035	1,282	1,582	2,001	2,841	
	HJR s	39	43	44	51	58	63	72	83	106	
	SB s	149	162	209	268	386	528	669	906	1,305	
	SJR s	11	13	16	20	22	29	30	36	45	
TOTAL	BILLS	645	768	955	1,184	1,501	1,902	2,353	3,026	4,297	
TRAVIS COUNTY											
	TRACKED	167	281	305	368	474	551	636	712	1,064	
	ANALYSES	109	137	281	346	430	485	627	723	878	
	SUPPORT	0	0	0	0	0	0	0	0	0	
	OPPOSE	0	0	0	0	1	1	1	2	14	

AS OF	WEEK	11	12	13	14	15	16	17	18	19	20
THURSDAY		21-Mar	28-Mar	4-Apr	11-Apr	18-Apr	25-Apr	2-May	9-May	16-May	23-May
	HB s										
	HJR s										
	SB s										
	SJR s										
TOTAL	BILLS										
TRAVIS COUNTY											
	TRACKED										
	ANALYSES										
	SUPPORT										
	OPPOSE										



CENTRAL HEALTH

**Letter of Support for Maintaining Local Control of Taxpayer Dollars for
Disproportionate Share Hospital (DSH) Funding**

March 4, 2013

Summary

The Alliance for the Local Control of Healthcare (ALCHC) is requesting that County Judges and Commissioners support the efforts of their local hospital districts by sending a letter to the Governor, Lieutenant Governor, and Speaker of the House asking them to ensure that local taxpayer dollars are not required to be diverted to fund statewide hospital funding streams. The Conference of Urban Counties sent a similar letter on February 18, 2013. Central Health and Judge Biscoe are members of the ALCHC. Other public hospital districts that provide inter-governmental transfers (IGTs) of taxpayer dollars for the Disproportionate Share Hospital (DSH) program are also members of the ALCHC.

The ALCHC is a group of Texas *public* hospitals, local elected officials, business, and community leaders who support 1115 Medicaid Transformation Waiver reforms that put local officials back in charge of community decisions about health care delivery, transformation, and taxation. The ALCHC was formed because a group of *private* hospitals from across the state is lobbying the legislature to mandate that IGTs fully fund DSH at the expense of funding the 1115 Medicaid Transformation Waiver reforms that yield more benefits to communities than DSH. The ALCHC believes local control of health care funding: (1) is vital to communities for its focus on local priorities and local innovation; (2) encourages accountability, transparency, and fiscal responsibility; and (3) fosters better health care outcomes for patients.

Recommendation

Support and send a letter to the Governor, Lieutenant Governor, Speaker, and Travis County legislative delegation that is sent from the entire Travis County Commissioners Court.

Alliance for Local Control of Healthcare

Delivering Better Health Care at Less Cost.

The Texas Alliance for Local Control of Health Care supports Texas Medicaid reforms putting local officials in charge of decisions about health care delivery, transformation and taxation that will deliver better health care for Texans at less cost. We support reforms enacted by the 82nd Texas Legislature and implemented by the Health and Human Services Commission in 2012.

Most Texans love modern health care but dislike the system that delivers it. They are confused by its complexity and glitches in coordination. They dislike the high cost and inequity of services across financial and geographic settings.

Over the decades, policy makers in Washington and Austin have moved health care decisions away from local health professionals to distant bureaucracies. This has shifted responsibility for decisions away from local communities and eroded accountability for health care outcomes.

Worse yet, this shift occurred while responsibility for the tax revenue to match federal funds for many health care services – especially those related to hospital services for the indigent – remained a local responsibility. Taxpayers in a handful of Texas communities were forced to pay for services provided statewide.

The local authorities that fund health care services to the indigent have organized to support shifting decision-making back to the local level. They are organized as the Alliance for Local Control of Health Care (ALCHC). ALCHC members include the JPS Health Network (Tarrant County), Harris Health System of Harris County, University Health System (Bexar County), Central Health (Travis County), University Medical Center of El Paso and Parkland Health and Hospital System (Dallas County).

ALCHC believes local control of health care funding:

- Is vital to communities for its focus on local priorities.
- Encourages accountability, transparency and fiscal responsibility.
- Fosters better health care outcomes for patients.

The ALCHC supports the principle of maintaining local control of health care funding and services. ALCHC supports the Section 1115 waiver agreed to by the State of Texas and the U.S. Department of Health and Human Services and implemented in 2012 to place funding for uncompensated care and systemic transformation of health care delivery in the hands of local Texas officials.



TRAVIS COUNTY COMMISSIONERS COURT

RON DAVIS
Commissioner, Pct. 1

SAMUEL T. BISCOE
County Judge

SARAH ECKHARDT
Commissioner, Pct. 2

GERALD DAUGHERTY
Commissioner, Pct. 3

MARGARET J. GÓMEZ
Commissioner, Pct. 4

March 12, 2013

The Honorable Rick Perry
Governor of Texas
P.O. Box 12428
Austin, TX 78711-2428

The Honorable David Dewhurst
Lieutenant Governor of Texas
P.O. Box 12068
Austin, TX 78711-2068

The Honorable Joe Straus, III
Speaker of the Texas House of Representatives
P.O. Box 2910
Austin, TX 78768-2910

Dear Sirs:

The Travis County Commissioners Court respectfully requests that you reject calls by private hospitals to assume state control over local healthcare district tax dollars. This private hospital initiative violates the principles of local control and accountability that you have long espoused, and is not in the best interest of local taxpayers.

For over two decades, a few large hospital districts in Texas, including Central Health (the Travis County Healthcare District), have provided local tax dollars to draw down additional federal Medicaid dollars for hospitals across Texas, both public and private, to help offset the costs of indigent care. This is known as Disproportionate Share Hospital program, or DSH.

The local tax dollars are available through voluntary transfer agreements between the State and the transferring districts. These voluntary agreements are necessary so that proper fiduciary responsibility is exercised over these tax dollars. Moreover, a compulsory transfer of funds would be subject to challenge as a State property tax.

Recently, the State and counties have embarked on the 1115 Waiver, an effort to improve Medicaid service delivery with greater accountability and increased Federal matching funds over what is available through DSH. This requires use of local dollars to fund these new efforts, and the return on investment is considerably better than in the current DSH program.

Unfortunately, the same local dollars cannot be used for both the 1115 Waiver and the DSH program. Nevertheless, a group of private hospitals is demanding that urban counties be forced to use their transferring funds for DSH, even when local officials have determined it is not in the best interest of local taxpayers. In fact, it is inevitable that local property taxes will be higher under the private hospitals' proposed mandate.

We have no objection to the leaders of Texas making DSH a priority. We object, however, to any proposal that includes the state asserting control over county funds provided by local taxpayers. Travis County believes that taxpayer funds raised locally should remain under the control of local officials, as is the case today. The state should not demand that counties raise taxes in order to pay for healthcare provided to citizens outside our county borders.

Under Article IX of the Texas Constitution, locally raised hospital district funds are under the control of local officials. Indeed, Central Health is required to submit its budget for approval by the Travis County Commissioners Court every year to assure that there is both oversight and control of tax rates by local elected officials. We do not believe that the State should supplant our authority in order to meet the demands of some for-profit hospitals.

We welcome the opportunity to work with you and other legislative leaders to improve the effectiveness of our healthcare delivery networks and the health of our citizens. However, we object to any proposal that would dilute local control over how local taxpayer dollars are spent.

Sincerely,

SAMUEL T. BISCOE
COUNTY JUDGE

RON DAVIS
COMMISSIONER, PRECINCT 1

SARAH ECKHARDT
COMMISSIONER, PRECINCT 2

GERALD DAUGHERTY
COMMISSIONER, PRECINCT 3

MARGARET J. GÓMEZ
COMMISSIONER, PRECINCT 4

Cc: Members of the Travis County legislative delegation

By: Strama

H.B. No. 313

A BILL TO BE ENTITLED

AN ACT

relating to electronic voter registration.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.009 to read as follows:

Sec. 13.009. ELECTRONIC VOTER REGISTRATION. (a) The secretary of state shall implement a program to allow a person who has a valid driver's license or personal identification card issued in this state to complete a voter registration application over the Internet from the official website of this state and the websites of the secretary of state, the Department of Public Safety, and counties participating in the program.

(b) An applicant for electronic voter registration must:

(1) attest to the truth of the information provided on the application by affirmatively accepting the information as true; and

(2) affirmatively consent to the use of the address and signature on the applicant's driver's license or personal identification card for voter registration purposes.

(c) For each application submitted, the program shall require that a digital copy of the applicant's signature be obtained from the Department of Public Safety.

(d) An application submitted under this section is considered for all purposes as an application submitted by mail

1 under this title.

2 (e) The secretary of state shall adopt rules as necessary to
3 implement this section, including rules to provide for additional
4 security measures necessary to ensure the accuracy and integrity of
5 applications submitted electronically.

6 (f) The rules adopted under Subsection (e) must require that
7 each Internet website through which a person may complete a voter
8 registration application include a description of the offense
9 described by Section 13.007 in a conspicuous location on the
10 website near the place where the person begins or submits the
11 application.

12 SECTION 2. This Act takes effect September 1, 2013.

BILL ANALYSIS AND TALKING POINTS FOR HB 313
Representative Mark Strama

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Various errors can occur during the voter application process. Reports indicate that thousands of Texans have experienced issues when registering to vote, such as clerical discrepancies, applications being lost in the mail, cost of postage, and problems with inaccurate information. For years, the secretary of state has used a process to cross reference names, dates of birth, and driver's license numbers in an attempt to correct the issues that occur during the voter registration application process.

Fifteen states have authorized their citizens to register to vote online and have reported cost savings and increased voter registration rates. By implementing a completely paperless electronic voter registration system, the state could significantly reduce the likelihood of errors and reduce costs.

HB 313 authorizes eligible Texas residents with valid Texas driver's licenses or personal identification cards issued by the Texas Department of Public Safety to register to vote online.

This bill is *permissive* for counties. Online registration would be available through Texas Online, the Secretary of State's website, the DPS website, and those of participating counties. A fiscal note on similar legislation in 2011 reported that "No significant fiscal implication to units of local government is anticipated."

RULEMAKING AUTHORITY

The secretary of state shall adopt rules as necessary to implement this section.

SECTION BY SECTION ANALYSIS

SECTION 1. adds Sec. 13.009 to Subchapter A, Chapter 13, Election Code that directs the secretary of state to authorize Texas citizens who have a valid driver's license or personal identification to be able to register to vote online. Applicants must attest to of the information provided and consent to the use of their address and signature from their driver's license or personal identification. The bill requires the secretary of state to adopt rules as necessary to implement the program including rules to provide for additional security measures necessary to ensure the accuracy and integrity of applications submitted electronically.

SECTION 2. Effective date: upon passage or September 1, 2013.

Travis County Commissioners Court
Voting Session, March 12, 2013
Motion in Writing

Move that the Travis County Commissioners Court adopt the following amendments to its **Legislative Agenda for the 83rd Texas Legislature**:

1. Add the following to the **Health & Human Services** subsection of the Policy Positions section:

Support legislation and budgeting decisions to include Texas in the Medicaid expansion program. (2/26/13)

Oppose legislation or budgeting decisions that weaken local control and mandate that Central Health transfer taxpayer dollars to fund the DSH program. (3/12/13)

2. Add the following to the **Taxation, Revenues, Budget and Administration** subsection of the **Policy Positions** section:

Support legislation to allow Travis County to impose a filing fee of up to \$15 for all civil cases, with proceeds dedicated to helping pay for the construction, renovation, or improvement of the facilities that house the Travis County civil courts. (2/12/13)

3. Add the following to the **Positions on Other Proposals** section:

Support legislation to give the Travis County Sheriff permissive authority to enforce certain federal laws and regulations regarding commercial motor vehicles. (2/26/13)

4. Add the following to the **Priorities** section:

Support legislation to allow Travis County to impose a filing fee of up to \$15 for all civil cases, with proceeds dedicated to helping pay for the construction, renovation, or improvement of the facilities that house the Travis County civil courts. (TRBA-13) (2/12/13)

Support legislation to give the Travis County Sheriff permissive authority to enforce certain federal laws and regulations regarding commercial motor vehicles. (POP-1) (2/12/13)