

## MINUTES

### SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Tuesday, May 14, 2013

9:00 AM

Senate Chamber

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Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Health & Human Services was held on Tuesday, May 14, 2013, in the Senate Chamber.

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**MEMBERS PRESENT:**

Senator Jane Nelson, Chair

Senator Bob Deuell, Vice Chair

Senator Joan Huffman

Senator Robert Nichols

Senator Charles Schwertner

Senator Larry Taylor

Senator Carlos Uresti

Senator Royce West

Senator Judith Zaffirini

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 9:00 AM and the following business was transacted:

At 9:05 AM Senator Schwertner assumed the chair.

The chair laid out HB 595 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

Senator Nelson moved that HB 595 be left pending; without objection, it was so ordered.

The chair laid out HB 1023 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

Senator Nelson sent up a committee substitute; the chair recognized Senator Nelson to explain the difference between the committee substitute and the house bill as engrossed. Senator Nelson moved committee substitute be left pending; without objection, it was so ordered.

Senator Nelson moved that HB 1023 be left pending; without objection, it was so ordered.

The chair laid out HB 1392 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

Senator Nelson moved that HB 1392 be left pending; without objection, it was so ordered.

At 9:10 AM Senator Nelson resumed the chair.

The chair laid out HB 1394 and recognized the Senate sponsor, Senator Duncan, to explain the bill.

Senator Schwertner moved that HB 1394 be left pending; without objection, it was so ordered.

The chair laid out HB 2383 and recognized the Senate sponsor, Senator Duncan, to explain the bill.

Senator Schwertner sent up a committee substitute; the chair recognized Senator Duncan to explain the difference between the committee substitute and the house bill as engrossed. Senator Schwertner moved committee substitute be left pending; without objection, it was so ordered.

Senator Schwertner moved that HB 2383 be left pending; without objection, it was so ordered.

At 9:16 AM Senator Zaffirini assumed the chair.

The chair laid out HB 3196 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

Senator Nelson moved that HB 3196 be left pending; without objection, it was so ordered.

At 9:18 AM Senator Deuell assumed the chair.

The chair laid out HB 3285 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

Senator Nelson moved that HB 3285 be left pending; without objection, it was so ordered.

The chair laid out HB 3401 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

Senator Nelson moved that HB 3401 be left pending; without objection, it was so ordered.

The chair laid out HB 3787 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

Senator Nelson moved that HB 3787 be left pending; without objection, it was so ordered.

At 9:21 AM Senator Nelson resumed the chair.

Roll was taken and a quorum was established.

The chair laid out as a matter of pending business HB 376.

Senator Zaffirini moved that HB 376 be reported favorably to the Senate with the recommendation that it do pass and be printed.

Senator Zaffirini withdrew her motion that HB 376 be reported favorably to the Senate with the recommendation that it do pass and be printed.

Senator Zaffirini moved that HB 376 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1191.

Senator Zaffirini moved that HB 1191 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Zaffirini moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 9:24 AM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 1376.

Senator Nelson moved that HB 1376 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 9:26 AM Senator Nelson resumed the chair.

The chair laid out as a matter of pending business HB 1803.

Senator Schwertner moved adoption of Committee Amendment 1; without objection, the amendment was adopted.

Senator Schwertner requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Schwertner then moved that the committee substitute be adopted; without objection, it was so ordered.

Senator Schwertner moved that HB 1803 do not pass but that CSHB 1803 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Schwertner moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1971.

Senator Deuell moved that HB 1971 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

At 9:28 AM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 3556.

Senator Nelson sent up a committee substitute; the chair recognized Senator Nelson to explain the difference between the committee substitute and the house bill as engrossed. Senator Nelson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Nelson moved that HB 3556 do not pass but that CSHB 3556 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 4 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 9:30 AM Senator Nelson resumed the chair.

The chair laid out HB 424 and recognized the Senate sponsor, Senator Deuell, to explain the bill.

Senator Deuell moved that HB 424 be left pending; without objection, it was so ordered.

The chair laid out HB 746 and recognized the Senate sponsor, Senator Schwertner, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

Senator Schwertner moved that HB 746 be left pending; without objection, it was so ordered.

At 9:36 AM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 595.

Senator Nelson sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

Senator Nelson requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Nelson then moved that the committee substitute be adopted; without objection, it was so ordered.

Senator Nelson moved that CSHB 595 be left pending; without objection, it was so ordered.

At 9:38 AM Senator Nelson resumed the chair.

The chair laid out HB 807 and recognized the Senate sponsor, Senator Schwertner, to explain the bill.

Senator Schwertner moved that HB 807 be left pending; without objection, it was so ordered.

The chair laid out HB 978 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

Senator Zaffirini sent up a committee substitute; the chair recognized Senator Zaffirini to explain the difference between the committee substitute and the house bill as engrossed. Senator Zaffirini moved adoption of the committee substitute; without objection, it was so ordered.

Senator Zaffirini moved that HB 978 be left pending; without objection, it was so ordered.

The chair laid out HB 970 and recognized the Senate sponsor, Senator Deuell, to explain the bill.

Senator Deuell moved that HB 970 be left pending; without objection, it was so ordered.

The chair laid out HB 1741 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator West moved that HB 1741 be left pending; without objection, it was so ordered.

The chair laid out HB 1947 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

Senator West sent up Committee Amendment 1.

Senator Zaffirini moved that HB 1947 be left pending; without objection, it was so ordered.

The chair laid out HB 2619 and recognized the Senate sponsor, Senator West, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

Senator West moved that HB 2619 be left pending; without objection, it was so ordered.

The chair laid out HB 2620 and recognized the Senate sponsor, Senator Deuell, to explain the bill.

Senator Deuell sent up a committee substitute; the chair recognized Senator Deuell to explain the difference between the committee substitute and the house bill as engrossed. Senator Deuell moved adoption of the committee substitute; without objection, it was so ordered.

Senator Deuell moved that CSHB 2620 be left pending; without objection, it was so ordered.

The chair laid out HB 2725 and recognized Senator Deuell, in the absence of the Senate sponsor, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

Senator Deuell sent up a committee substitute; the chair recognized Senator Deuell to explain the difference between the committee substitute and the house bill as engrossed. Senator Deuell moved adoption of the committee substitute; without objection, it was so ordered.

Senator Deuell moved that CSHB 2725 be left pending; without objection, it was so ordered.

The chair laid out HB 3729 and recognized Senator Deuell, in the absence of the Senate sponsor, to explain the bill.

Senator Deuell moved that HB 3729 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 746.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Schwertner moved that HB 746 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Schwertner moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business CSHB 978.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 978 do not pass but that CSHB 978 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 10:19 AM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 1023.

Senator Nelson moved adoption of the committee substitute; without objection, it was so ordered.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 1023 do not pass but that CSHB 1023 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 10:24 AM Senator Nelson resumed the chair.

The chair laid out as a matter of pending business HB 1394.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 1394 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1741.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator West moved that HB 1741 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 2383.

Senator Schwertner moved adoption of the committee substitute; without objection, it was so ordered.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 2383 do not pass but that CSHB 2383 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business HB 2619.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator West moved that HB 2619 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator West moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 10:47 AM Senator Nelson moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

At 1:17 PM Senator Nelson reconvened the meeting.

The chair laid out HB 932 and recognized the Senate sponsor, Senator Davis, to explain the bill.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 932 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 2725.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 2725 be left pending; without objection, it was so ordered.

At 1:23 PM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 3196.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 3196 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3285.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 3285 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3401.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 3401 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3787.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 3787 be left pending; without objection, it was so ordered.

At 1:33 PM Senator Nelson resumed the chair.

The chair laid out as a matter of pending business HB 3729.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 3729 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 2620.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 2620 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 376.

Senator Zaffirini moved that HB 376 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Zaffirini moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 807.

Senator Deuell moved that HB 807 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 1:48 PM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 1392.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 1392 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 1:51 PM Senator Nelson resumed the chair.

The chair moved to bring the previously considered HB 807 back to the table.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved to reconsider the vote by which HB 807 was previously passed.

Senator Deuell moved that HB 807 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 424.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 424 be left pending; without objection, it was so ordered.

At 2:20 PM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 595.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 595 do not pass but that CSHB 595 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 2:35 PM Senator Nelson resumed the chair.

The chair laid out as a matter of pending business HB 970.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Deuell moved that HB 970 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 2:45 PM Senator Deuell assumed the chair.

The chair laid out HB 1396 and recognized the Senate sponsor, Senator Nelson, to explain the bill.

No witnesses testified or registered on the bill.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Nelson moved that HB 1396 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 1396.

Senator Nelson moved that HB 1396 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 4 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 2:50 PM Senator Nelson resumed the chair.

The chair laid out as a matter of pending business HB 2620.

Senator Deuell moved that HB 2620 do not pass but that CSHB 2620 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 2725.

Senator Deuell moved that HB 2725 do not pass but that CSHB 2725 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Deuell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 2:51 PM Senator Deuell assumed the chair.

The chair laid out as a matter of pending business HB 3285.

Senator Nelson moved that HB 3285 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3196.

Senator Nelson moved that HB 3196 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3401.

Senator Nelson moved that HB 3401 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3787.

Senator Nelson moved that HB 3787 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 2:57 PM Senator Nelson resumed the chair.

The chair laid out as a matter of pending business HB 3729.

Senator Zaffirini moved that HB 3729 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Zaffirini moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 424.

Senator Deuell moved that HB 424 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 1 nay, 0 present not voting, and 3 absent.

At 3:00 PM Senator Deuell assumed the chair.

The chair moved to bring the previously considered CSHB 3556 back to the table.

Senator Zaffirini moved to reconsider the vote by which the Committee Substitute to HB 3556 was adopted.

Senator Uresti sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

Senator Nelson requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Nelson then moved that the committee substitute be adopted; without objection, it was so ordered.

Senator Nelson moved that HB 3556 do not pass but that CSHB 3556 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Nelson moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 3:03 PM Senator Nelson resumed the chair.

The chair laid out as a matter of pending business HB 1947.

Senator Zaffirini moved adoption of Committee Amendment 1; without objection, the amendment was adopted.

Senator Zaffirini requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Zaffirini then moved that the committee substitute be adopted; without objection, it was so ordered.

Witnesses testifying and registering on the bill are shown on the attached list.

Senator Zaffirini moved that CSHB 1947 be left pending; without objection, it was so ordered.

At 3:39 PM Senator Nelson moved that the Committee stand recessed until the conclusion of the reading and referral of bills in the Senate. Without objection, it was so ordered.

At 3:46 PM Senator Nelson reconvened the meeting.

The chair laid out as a matter of pending business CSHB 1947.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Zaffirini moved that HB 1947 do not pass but that CSHB 1947 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

There being no further business, at 4:15 PM Senator Nelson moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Jane Nelson, Chair

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Michael Baca, Clerk