

**Senate Finance Committee  
Riders - Article V**

**Adopted**

**March 24, 2021**

**Legislative Budget Board**

By: Senator Borris Miles *Whitire*

**Texas Department of Criminal Justice, Article V**  
**Proposed Rider**  
**Report on Warrants Issued for Parole Violations**

Prepared by LBB Staff, 3/10/2021

**Overview**

Amend Senate Bill 1 to direct the Department of Criminal Justice to produce a report on warrants issued for parole violations, or blue warrants.

**Required Action**

On page V-23 of the Department of Criminal Justice bill pattern, add the following rider:

\_\_\_\_\_. **Report on Warrants Issued for Parole Violations.** From funds appropriated above, the Texas Department of Criminal Justice (TDCJ) in coordination with relevant stakeholders shall review policies and submit a report to the Governor, the Legislative Budget Board, the chair of the appropriate House and Senate Committees, and members of the legislature on agency procedures related to warrants issued for parole violations, or blue warrants, not later than December 1, 2022. The report shall include recommendations for expediting and/or streamlining the blue warrant process, specifically regarding administrative violations and misdemeanors.

By: Senator Borris Miles / *Whitire*

**Texas Department of Criminal Justice, Article V**  
**Proposed Rider**  
**Postsecondary Education Programs**

Prepared by LBB Staff. 3/10/2021

**Overview**

Amend Senate Bill 1 by removing the specific and beneficial task requirement for postsecondary education courses.

**Required Action**

On page V-14 of the Department of Criminal Justice bill pattern, amend the following rider:

14. **Postsecondary Education Programs.** Out of funds appropriated above in Strategy C.2.2, Academic and Vocational Training, the Texas Department of Criminal Justice may provide postsecondary education courses only to inmates who have:

- a. demonstrated a clear and convincing record of rehabilitation while incarcerated, and
- b. demonstrated an interest in a field of study ~~that lends itself to performing specific and beneficial tasks while incarcerated,~~ and
- c. demonstrated the aptitude and capabilities to do college-level study.

The costs of such postsecondary education programs shall be reimbursed by the inmate as a condition of parole. One hundred percent of the reimbursements are appropriated to Strategy C.2.2, Academic and Vocational Training.

The Texas Department of Criminal Justice may not transfer appropriations out of Strategy C.2.2, Academic and Vocational Training. All of the funds appropriated above in Strategy C.2.2, Academic and Vocational Training, are to be distributed to the community colleges that provide the postsecondary education programs and services. No funds appropriated above in Strategy C.2.2, Academic and Vocational Training, may be retained by TDCJ or the Windham School District for administration. Programs under Strategy C.2.2, Academic and Vocational Training, are to be administered by TDCJ's Rehabilitation Programs Division.

By Huffman

***Juvenile Justice Department***  
**Harris County Front-End Multisystemic Therapy Team**

**Overview**

The following action would increase funding by \$500,000 in General Revenue in fiscal year 2022 and \$500,000 in fiscal year 2023 to the Juvenile Justice Department. The action also provides a rider directing use of the funds and requires the Juvenile Justice Department to enter into a memorandum of understanding with the Harris Center for Mental Health and IDD to establish a front-end Multisystemic Therapy (MST) team to prevent youth and adolescents from entering the juvenile justice and child welfare systems. This team would be based at the Harris Center and work in concert with Harris County Protective Services and Harris County Juvenile Probation.

MST is a proven family- and community-based treatment for at-risk youth with intensive needs and their families.<sup>1</sup> It has proven most effective for treating youth who have committed violent offenses, have serious mental health or substance abuse concerns, are at risk of out-of-home placement, or who have experienced abuse and neglect.<sup>2</sup>

**Required Action**

1. Within the Juvenile Justice Department's bill pattern, add General Revenue appropriations to Strategy A.1.2., Community Programs, of \$500,000 in General Revenue in fiscal year 2022 and \$500,000 in General Revenue in fiscal year 2023.
2. On page V-\_\_\_ of the Juvenile Justice Department bill pattern, add the following rider:

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<sup>1</sup> Henggeler, S. W., & Shoenwald, S. K. (2011). Evidence-based interventions for juvenile offenders and juvenile justice policies that support them. *Social Policy Report*, 25(1): 1–20.

<sup>2</sup> MST Services. (2018). *MST research at a glance*.

[https://cdn2.hubspot.net/hubfs/295885/MST%20Redesign/Marketing%20Kit/Marketing%20Kit%20Collateral%20Digital%20Files/Case%20Study%20and%20Reports/Report%20-%20RAAG\\_Short\\_outcomestudies\\_summary\\_2018.pdf](https://cdn2.hubspot.net/hubfs/295885/MST%20Redesign/Marketing%20Kit/Marketing%20Kit%20Collateral%20Digital%20Files/Case%20Study%20and%20Reports/Report%20-%20RAAG_Short_outcomestudies_summary_2018.pdf)

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\_\_\_\_. **Harris County Front-End Multisystemic Therapy Team.** Out of funds appropriated above in Strategy A.1.2., \$500,000 in General Revenue for fiscal year 2022 and \$500,000 in General Revenue for fiscal year 2023 shall be used to establish a front-end Multisystemic Therapy (MST) team in Harris County to prevent youth and adolescents from entering the juvenile justice and child welfare systems. The Juvenile Justice Department (JJD) and the Harris Center for Mental Health and IDD (Harris Center) shall enter into a memorandum of understanding that provides for the transfer of funds through an interagency contract from JJD to the Harris Center to fund this initiative. The Harris Center shall establish an evidenced-based MST team in partnership with local juvenile probation and protective services programs. Not later than November 30, 2022, JJD shall submit a performance assessment report to the Legislative Budget Board that includes standard measures to assess the success of the program, including the number of youth and adolescents who have been diverted from the juvenile justice and child welfare systems.

**Senate Finance Committee  
Riders - Article V**

**Article XI**

**March 24, 2021**

**Legislative Budget Board**

By: Blanco / Senator Campbell

**Texas Military Department, Article V**  
**Proposed Funding and Rider**  
**Sexual Assault Response Coordinator**

Prepared by LBB Staff, 3/11/2021

**Overview**

Amend Senate Bill 1 to provide General Revenue funding for 1.0 Full Time Equivalent (FTE) per fiscal year and include a rider that directs the Military Department to use those funds for a sexual assault response coordinator.

**Required Action**

1. On page V-42 of the Military Department bill pattern in Senate Bill 1, add \$77,000 in General Revenue funds and 1.0 FTE for fiscal year 2022 and \$74,000 in General Revenue funds and 1.0 FTE for fiscal year 2023 to Strategy C.1.3, Mental Health Initiatives.

2. On page V-48 of the Military Department bill pattern, add the following rider:

\_\_\_\_\_. **Sexual Assault Response Coordinator. Included in the amounts above in Strategy C.1.1, Mental Health Initiative is \$77,000 in General Revenue funds for fiscal year 2022 and \$74,000 in fiscal year 2023 for a sexual assault response coordinator.**

**Senate Finance Committee  
Riders - Article V**

**Not Adopted**

**March 24, 2021**

**Legislative Budget Board**



By: Senator Borris Miles

*/Whitmore*

**Texas Department of Criminal Justice, Article V**

**Proposed Rider**

**Prescriptions Provided Upon Release from a Correctional Facility**

Prepared by LBB Staff, 3/10/2021

**Overview**

Amend Senate Bill 1 to direct the Department of Criminal Justice (TDCJ) to provide prescription medications for sixty days to offenders upon release from TDCJ correctional facilities.

**Required Action**

On page V-21 of the Department of Criminal Justice bill pattern, amend the following rider:

- 54 . **Prescriptions Provided Upon Release from a Correctional Facility.** Included in the amounts appropriated above in Strategy C.1.10, Managed Health Care-Pharmacy, is funding to extend prescriptions to ~~30~~ 60 days at the discretion of contracted medical staff to offenders upon release from TDCJ correctional facilities. Emphasis shall be placed on mental health issues and medical issues that would be impacted by a lapse in medication.

By: Senator Borris Miles

*Whitmore*

**Texas Department of Criminal Justice, Article V**  
**Proposed Rider**  
**Correctional Managed Health Care**

Prepared by LBB Staff, 3/10/2021

**Overview**

Amend Senate Bill 1 by removing certain language from Rider 42, Correctional Managed Health Care.

**Required Action**

On page V- 17 of the Department of Criminal Justice bill pattern, amend the following rider:

42. **Correctional Managed Health Care.** The use of appropriated funds to the Texas Department of Criminal Justice for managed health care (CMHC) for offenders in custody shall be governed by the specific limitations included in this rider.

**a. Managed Health Care Staff Loan Repayment**

1. None of the funds appropriated above shall be used for loan repayment assistance for medical and mental health care staff without prior approval of the Legislative Budget Board.

**b. Correctional Managed Health Care Committee**

1. None of the funds appropriated above shall be used for payment of salaries, operating expenses, or travel expenses for staff of the Correctional Managed Health Care Committee.
2. From funds appropriated above, the Texas Department of Criminal Justice may provide reimbursement of travel expenses incurred by the members of the Correctional Managed Health Care Committee with prior approval of the Legislative Budget Board.

**c. Strategy C.1.8, Managed Health Care - Unit and Psychiatric Care**

1. Together with the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, the Texas Department of Criminal Justice shall approve a staffing model and services by unit that conform to the available annual appropriation in Strategy C.1.8, Managed Health Care - Unit and Psychiatric Care, before the beginning of each fiscal year.
2. The Texas Tech University Health Sciences Center and the University of Texas Medical Branch, shall provide unit medical and psychiatric care based on the jointly developed staffing model and services approved by the Texas Department of Criminal Justice.
3. ~~To the extent possible, the~~ The Texas Department of Criminal Justice shall maintain at least one Correctional Officer or other staff that is a licensed health care professional on duty per unit at all times.
4. Receipts from inmate health care fees collected from offenders in accordance with Government Code, Section 501.063, are appropriated above in Strategy C.1.8, Managed Health Care - Unit and Psychiatric Care, estimated to be \$2,215,000 in General Revenue Funds in fiscal year 2022 and estimated to be \$2,215,000 in General Revenue Funds in fiscal year 2023. Any receipts collected in excess of \$2,215,000 in fiscal year 2022 and \$2,215,000 in fiscal year 2023 are appropriated to the department to pay the cost of correctional health care.

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d. Strategy C.1.9, Managed Health Care - Hospital and Clinical Care

1. The University of Texas Medical Branch shall provide inpatient and outpatient hospital services and physician services at the University of Texas Medical Branch Hospital Galveston for offenders in the custody of the Texas Department of Criminal Justice. Inpatient services shall be reimbursed at an amount no greater than would be produced using UTMB's Medicare standard dollar amount (SDA) with an add-on of \$2,496 and the appropriate relative weight. The add-on is intended to continue funding for graduate residency slots. Hospital outpatient services and physician services shall be reimbursed at a rate not to exceed cost.
2. The Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers shall provide inpatient and outpatient hospital services through contract hospital providers for offenders in the custody of the Texas Department of Criminal Justice at a rate not to exceed 100 percent of what would be paid for similar services according to the Medicare reimbursement methodology. The Texas Department of Criminal Justice may pay a rate in excess of Medicare reimbursement rates only after receiving prior written approval from the Legislative Budget Board.
3. The Texas Department of Criminal Justice may provide for a medical review of the appropriateness of non-emergency medical procedures provided by the University of Texas Medical Branch Hospital Galveston.
4. It is the intent of the legislature that any inpatient hospital costs that exceed UTMB's Medicare SDA with an add-on of \$2,496 and the appropriate relative weight will not be reimbursed by the state.
5. When requesting the approval of the Legislative Budget Board (LBB) to pay a rate in excess of Medicare reimbursement rates as described in subsection (d)(2) above, the Texas Department of Criminal Justice shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the LBB must be submitted promptly and in a manner prescribed by the LBB. The request shall be considered approved unless the LBB issues a written disapproval within 30 business days after the date LBB staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information by the LBB interrupts the counting of the 30 business days.

e. Transferability

1. Notwithstanding Rider 14 of this Article and Article IX, Sec. 14.01, the Texas Department of Criminal Justice shall not transfer any appropriations between Strategies C.1.8, Managed Health Care - Unit and Psychiatric Care; C.1.9, Managed Health Care - Hospital and Clinical Care, and C.1.10, Managed Health Care - Pharmacy, without prior approval of the Legislative Budget Board. When requesting the approval of the Legislative Budget Board to transfer appropriations between correctional managed health care strategies, the Texas Department of Criminal Justice shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board. The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information by the Legislative Budget Board interrupts the counting of the 30 business days.
2. This transferability limitation extends to the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, upon receipt of funding from the Texas Department of Criminal Justice.

f. Reimbursement to Contracted Health Care Providers

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1. At the beginning of each quarter, the Texas Department of Criminal Justice shall prepay the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, one quarter of the annual appropriation for services to be rendered under contract.
2. The Texas Department of Criminal Justice shall reimburse the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, for actual costs, including indirect administrative services based on generally accepted accounting principles. Reimbursement for indirect administrative services is capped at 2.75 percent of annual reimbursements for services rendered under contract. The total reimbursements shall not exceed amounts appropriated above in Strategies C.1.8, Managed Health Care - Unit and Psychiatric Care, C.1.9, Managed Health Care - Hospital and Clinical Care, and C.1.10, Managed Health Care - Pharmacy, unless prior approval is provided by the Legislative Budget Board.
3. Informational Item - In addition to the CMHC appropriations made above in TDCJ, other CMHC-related appropriations are made elsewhere in the General Appropriations Act. Certain University of Texas Medical Branch (UTMB) and Texas Tech University Health Sciences Center (TTUHSC) employees deliver TDCJ-contracted CMHC services. UTMB and TTUHSC receive General Revenue Funds in state reimbursements for a portion of the benefits provided to these university employees. This funding is provided through the various state agencies/systems that administer benefits for higher education employees.
4. University of Texas Medical Branch and Texas Tech University Health Sciences Center are prohibited from using reimbursements and/or payments for correctional managed health care for any purpose other than the provision of correctional managed health care.

g. Reporting Requirements

1. The Texas Department of Criminal Justice is required to submit quarterly to the Legislative Budget Board and the Office of the Governor a report detailing:
  - i. correctional managed health care actual and projected expenditures for unit and psychiatric care, hospital and clinical care, and pharmacy;
  - ii. health care utilization and acuity data; and
  - iii. other health care information determined by the Office of the Governor and the Legislative Budget Board.
2. The Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers shall provide the Texas Department of Criminal Justice with necessary documentation to fulfill the reporting requirements contained in this section.
3. TDCJ shall submit a report to the Legislative Budget Board describing the cost containment efforts used to improve efficiency and manage costs in the Correctional Managed Health Care system in the previous fiscal year by September 30 of each fiscal year.

h. Managed Health Care Operational Shortfalls

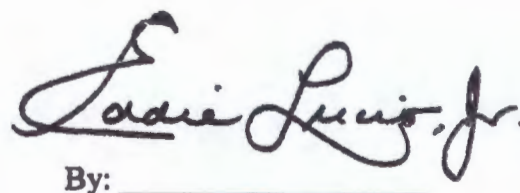
1. If deemed necessary by the Texas Department of Criminal Justice, appropriations may be transferred into Strategies C.1.8, Managed Health Care - Unit and Psychiatric Care, C.1.9, Managed Health Care - Hospital and Clinical Care, and C.1.10, Managed Health Care - Pharmacy, with prior approval of the Legislative Budget Board.
2. In addition to transfer authority provided elsewhere in this Act, the Texas Department of Criminal Justice may transfer General Revenue appropriations made in Strategies C.1.8, Managed Health Care - Unit and Psychiatric Care, C.1.9, Managed Health Care - Hospital and Clinical Care, and C.1.10, Managed Health Care - Pharmacy, for fiscal year 2023 to fiscal year 2022 with prior approval of the Legislative Budget Board.
3. When requesting the approval of the Legislative Budget Board to transfer appropriations for the purposes described in paragraphs h.1. and h.2. above, the Texas Department of

Criminal Justice shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board. The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information by the Legislative Budget Board interrupts the counting of the 30 business days.

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By: \_\_\_\_\_

**Department of Public Safety  
Cameron County Multiuse Training Facility**

**Overview:**

The purpose of this rider is to provide for the construction of a tactical training facility in Cameron County through the allocation of \$47,133,000 in General Revenue to the Department of Public Safety.

**Required Action**

Make the following adjustments to the bill pattern for the Department of Public Safety:

- a) On page V-48 of the Department's bill pattern, increase General Revenue by \$47,133,000 in fiscal year 2022.
- b) On page V-49 of the Department's bill pattern, increase appropriations to Strategy E.1.5, Facilities Management, by \$47,133,000 in fiscal year 2022.

On page V-62 of the Department of Public Safety's bill pattern, add the following new rider:

\_\_\_\_. **Tactical Training Facility in Cameron County.**

- a) Included in the amounts appropriated above in Strategy E.1.5, Facilities Management, the Department of Public Safety is appropriated \$47,133,000 in General Revenue funds in fiscal year 2022 for the construction, furnishing, and equipping of a tactical training facility. This funding shall be considered border security funding.
- b) The department shall manage the training facility and may adopt rules necessary to implement this section. The department shall make the training facility available for use by the department, the Texas Military Forces, county and municipal law enforcement agencies, and agencies of the federal government for training purposes.
- c) Any unexpended balances in General Revenue funds described above and remaining as of August 31, 2022, are appropriated for the same purposes for the fiscal year beginning September 1, 2022.

.By: Senator Creighton

**Department of Public Safety, Article V**  
**Proposed Funding and Rider**  
**Operation Drawbridge**

Prepared by LBB Staff, 03/11/2021

**Overview**

Add rider to direct funding amounts to Operation Drawbridge for border security cameras and ongoing maintenance costs.

**Required Action**

On page V-62 of the Department of Public Safety bill pattern in Senate Bill 1, add the following rider:

— . **Operation Drawbridge.** Included in the amounts appropriated above in Strategy B.1.2, Routine Operations, is \$10,000,000 for the Department of Public Safety for the purchase and maintenance of new and replacement cameras, as well as monitoring and technology upgrades, for Operation Drawbridge.

8

By: Senator Paxton / Perry

**Department of Public Safety, Article V**  
**Proposed Funding and Rider**  
**Plano Driver License Office**

Prepared by LBB Staff, 03/11/2021

**Overview**

Add funding and rider to increase appropriations from General Revenue Funds by \$8,000,000 in fiscal year 2022 in Strategy D.I.I, Driver License Services, to the Department of Public Safety for a new driver license office in Plano, Texas.

**Required Action**

1. On page V-49 of the Department of Public Safety bill pattern in Senate Bill 1, increase appropriations from General Revenue Funds in Strategy D.I.I, Driver License Services, by \$8,000,000 in fiscal year 2022.
2. On page V-62 of the Department of Public Safety bill pattern in Senate Bill 1, add the following rider:

\_\_\_\_. **Plano Driver License Office.** Included in the amounts appropriated above, from Strategy D.I.I, Driver License Services, the Department of Public Safety shall expend up to \$8,000,000 in General Revenue Funds in fiscal year 2022 to purchase or lease, furnish, and equip a new driver license office in the City of Plano, Texas. Any unexpended balances in General Revenue Funds described above and remaining as of August 31, 2022, are appropriated for the same purposes for the fiscal year beginning September 1, 2022.