



82nd Session Select Interim Charges Relating to State Affairs

January 24, 2012

State Affairs Committee

- Study the policies and actions the State can pursue to preserve state authority and protect Texas citizens from federal overreach in the form of conditional federal grants, conditional federal preemption, and excessive legislation and regulation interfering with states' enumerated powers by Congress.
- Examine the Texas Workers' Compensation system and make recommendations for changes to meet the needs of Texas employers and employees. Specifically, review the following:
 - the dispute resolution process and benefits available from employers that do not subscribe to workers compensation;
 - the adequacy of income benefits in the workers' compensation system, specifically on high-wage earners receiving the maximum compensation rate;
 - identify and report on fatalities in the Workers' Compensation System, including the amount of death and burial benefits paid to beneficiaries and the Subsequent Injury Fund since 2000;
 - the return-to-work numbers and results for injured employees in the Workers' Compensation System that are referred to the Department of Assistive and Rehabilitative Services.
- Study the feasibility and fiscal impact to consumers of altering the insurance code to allow for the purchase of health insurance across state lines.
- Monitor the potential impact of the Patient Protection and Affordable Care Act (PPACA) on insurance regulations, Medicaid and CHIP, health care outcomes and overall health of all Texans, and the state budget in Texas. Additionally, monitor the current constitutional challenges to PPACA and other court cases associated with PPACA, and ensure that the state does not expend any resources until judicial direction is clear. (Joint charge with Senate Health & Human Services Committee)
- Study and make recommendations on statutory provisions and judicial decisions relating to the statute of limitations on a cause of action relating to consumer debt.

- Examine establishing a workforce retention program or deferred retirement option plan (DROP) for Texas Department of Public Safety commissioned peace officers and whether any plan can be built with actuarially sustainable factors while meeting the needs of officers.
- Examine the feasibility of implementing Health Reimbursement Accounts and Medicare exchanges for Medicare eligible participants currently covered by and receiving health coverage through the Employees Retirement System, the Teachers Retirement System, the University of Texas, and Texas A&M University. Identify any cost savings to the state and to retirees that would occur under such a plan.
- Consider the costs and benefits of the creation of liability protection for private companies and individuals when commissioned by the Texas Forest Service to assist in fighting a fire that is not on the company's or individual's own land. Examine whether state policy should prohibit an employer from terminating an employee who is a volunteer firefighter on the grounds that the employee missed work because the employee was responding to an emergency. Identify any appropriate limitations that should apply to such a policy.
- Examine the effectiveness of the Private Real Property Rights Preservation Act (Chapter 2007, Government Code), and whether it should apply to municipalities.
- Monitor the implementation of legislation addressed by the Senate Committee on State Affairs, 82nd Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:
 - implementation of SB 100, relating to the implementation of the MOVE Act, and the impact on local and statewide elections and military voters;
 - implementation of the Interstate Health Care Compact.