

1-1 By: Price, et al. (Senate Sponsor - Schwertner) H.B. No. 1486
 1-2 (In the Senate - Received from the House April 24, 2017;
 1-3 May 2, 2017, read first time and referred to Committee on Health &
 1-4 Human Services; May 17, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 17, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1486 By: Schwertner

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to peer specialists, peer services, and the provision of
 1-22 those services under the medical assistance program.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter B, Chapter 531, Government Code, is
 1-25 amended by adding Section 531.0999 to read as follows:

1-26 Sec. 531.0999. PEER SPECIALISTS. (a) With input from
 1-27 mental health and substance use peer specialists and the work group
 1-28 described by Subsection (b), the commission shall develop and the
 1-29 executive commissioner shall adopt:

1-30 (1) rules that establish training requirements for
 1-31 peer specialists so that they are able to provide services to
 1-32 persons with mental illness or services to persons with substance
 1-33 use conditions;

1-34 (2) rules that establish certification and
 1-35 supervision requirements for peer specialists;

1-36 (3) rules that define the scope of services that peer
 1-37 specialists may provide;

1-38 (4) rules that distinguish peer services from other
 1-39 services that a person must hold a license to provide; and

1-40 (5) any other rules necessary to protect the health
 1-41 and safety of persons receiving peer services.

1-42 (b) The commission shall establish a stakeholder work group
 1-43 to provide input for the adoption of rules under Subsection (a).
 1-44 The work group is composed of the following stakeholders appointed
 1-45 by the executive commissioner:

1-46 (1) one representative of each organization that
 1-47 certifies mental health and substance use peer specialists in this
 1-48 state;

1-49 (2) three representatives of organizations that
 1-50 employ mental health and substance use peer specialists;

1-51 (3) one mental health peer specialist who works in an
 1-52 urban area;

1-53 (4) one mental health peer specialist who works in a
 1-54 rural area;

1-55 (5) one substance use peer specialist who works in an
 1-56 urban area;

1-57 (6) one substance use peer specialist who works in a
 1-58 rural area;

1-59 (7) one person who trains mental health peer
 1-60 specialists;

2-1 (8) one person who trains substance use peer
 2-2 specialists;
 2-3 (9) three representatives of mental health and
 2-4 addiction licensed health care professional groups who supervise
 2-5 mental health and substance use peer specialists;
 2-6 (10) to the extent possible, not more than three
 2-7 persons with personal experience recovering from mental illness,
 2-8 substance use conditions, or co-occurring mental illness and
 2-9 substance use conditions; and
 2-10 (11) any other persons considered appropriate by the
 2-11 executive commissioner.

2-12 (c) The executive commissioner shall appoint one member of
 2-13 the work group to serve as presiding officer.

2-14 (d) The work group shall meet once every month.

2-15 (e) The work group is automatically abolished on the
 2-16 adoption of rules under Subsection (a).

2-17 (f) The executive commissioner may not adopt rules under
 2-18 Subsection (a) that preclude the provision of mental health
 2-19 rehabilitative services under 25 T.A.C. Chapter 416, Subchapter A,
 2-20 as that subchapter existed on January 1, 2017.

2-21 (g) If the executive commissioner has not adopted rules by
 2-22 September 1, 2018, the executive commissioner shall submit on that
 2-23 date a written report to the governor, the lieutenant governor, the
 2-24 speaker of the house of representatives, the chair of the Senate
 2-25 Health and Human Services Committee, and the chair of the House
 2-26 Public Health Committee explaining why the rules have not yet been
 2-27 adopted. This subsection expires September 1, 2019.

2-28 SECTION 2. Section 32.024, Human Resources Code, is amended
 2-29 by adding Subsection (kk) to read as follows:

2-30 (kk) The commission in its rules and standards governing the
 2-31 scope of services provided under the medical assistance program
 2-32 shall include peer services provided by certified peer specialists
 2-33 to the extent permitted by federal law.

2-34 SECTION 3. As soon as practicable after the effective date
 2-35 of this Act, the executive commissioner of the Health and Human
 2-36 Services Commission shall:

2-37 (1) adopt the rules required by Section 531.0999(a),
 2-38 Government Code, as added by this Act; and

2-39 (2) appoint the members of the stakeholder work group
 2-40 established by Section 531.0999(b), Government Code, as added by
 2-41 this Act.

2-42 SECTION 4. If before implementing any provision of this Act
 2-43 a state agency determines that a waiver or authorization from a
 2-44 federal agency is necessary for implementation of that provision,
 2-45 the agency affected by the provision shall request the waiver or
 2-46 authorization and may delay implementing that provision until the
 2-47 waiver or authorization is granted.

2-48 SECTION 5. (a) Except as provided by Subsection (b) of this
 2-49 section, this Act takes effect immediately if it receives a vote of
 2-50 two-thirds of all the members elected to each house, as provided by
 2-51 Section 39, Article III, Texas Constitution. If this Act does not
 2-52 receive the vote necessary for immediate effect, this Act takes
 2-53 effect September 1, 2017.

2-54 (b) This Act takes effect only if the 85th Legislature
 2-55 appropriates money specifically for the purpose of implementing
 2-56 this Act. If the legislature does not appropriate money
 2-57 specifically for that purpose, this Act does not take effect.

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