

1-1 By: Zaffirini S.B. No. 1818
 1-2 (In the Senate - Filed March 7, 2019; March 18, 2019, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 April 25, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 25, 2019,
 1-6 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 S.B. No. 1818 By: Powell

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

1-21 relating to a competitive and integrated employment initiative for
 1-22 certain Medicaid recipients.

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 531.02448 to read as follows:

1-26 Sec. 531.02448. COMPETITIVE AND INTEGRATED EMPLOYMENT
 1-27 INITIATIVE FOR CERTAIN MEDICAID RECIPIENTS. (a) This section
 1-28 applies to an individual receiving services under any of the
 1-29 following waiver programs established under Section 1915(c),
 1-30 Social Security Act (42 U.S.C. Section 1396n(c)):

1-31 (1) the home and community-based services (HCS) waiver
 1-32 program;

1-33 (2) the Texas home living (TxHmL) waiver program;

1-34 (3) the deaf-blind with multiple disabilities (DBMD)
 1-35 waiver program;

1-36 (4) the community living assistance and support
 1-37 services (CLASS) waiver program; and

1-38 (5) the STAR+PLUS home and community-based services
 1-39 (HCBS) waiver program.

1-40 (b) The executive commissioner by rule shall develop a
 1-41 uniform process that complies with the policy adopted under Section
 1-42 531.02447 to:

1-43 (1) assess the goals of and competitive and integrated
 1-44 employment opportunities and related employment services available
 1-45 to an individual to whom this section applies; and

1-46 (2) use the identified goals and available
 1-47 opportunities and services to direct the individual's plan of care
 1-48 at the time the plan is developed or renewed.

1-49 (c) The entity responsible for the development and renewal
 1-50 of the plan of care for an individual to whom this section applies
 1-51 shall use the uniform process the executive commissioner develops
 1-52 to assess the individual's goals, opportunities, and services
 1-53 described by Subsection (b) and incorporate those goals,
 1-54 opportunities, and services into the plan of care.

1-55 (d) The executive commissioner by rule shall:

1-56 (1) establish performance measures for the employment
 1-57 of individuals to whom this section applies and who are seeking
 1-58 competitive and integrated employment;

1-59 (2) identify strategies to increase the number of
 1-60 individuals who are receiving employment services from the Texas

2-1 Workforce Commission or through the waiver program in which an
2-2 individual is enrolled;
2-3 (3) determine a reasonable number of individuals who
2-4 indicate a desire to work to receive employment services and ensure
2-5 those individuals:
2-6 (A) have received employment services during the
2-7 state fiscal biennium ending August 31, 2021, or during the period
2-8 beginning September 1, 2021, and ending December 31, 2021, from the
2-9 Texas Workforce Commission or through the waiver program in which
2-10 an individual is enrolled; or
2-11 (B) are receiving employment services on
2-12 December 31, 2021, from the Texas Workforce Commission or through
2-13 the waiver program in which an individual is enrolled; and
2-14 (4) ensure each individual who indicates a desire to
2-15 work is referred to receive employment services from the Texas
2-16 Workforce Commission or through the waiver program in which the
2-17 individual is enrolled.
2-18 (e) Not later than December 31 of each even-numbered year,
2-19 the executive commissioner shall prepare and submit to the
2-20 governor, lieutenant governor, speaker of the house of
2-21 representatives, and legislature a written report that outlines:
2-22 (1) the number of individuals to whom this section
2-23 applies who are receiving employment services in accordance with
2-24 rules adopted under this section;
2-25 (2) whether the employment services described by
2-26 Subdivision (1) are provided by the Texas Workforce Commission,
2-27 through the waiver program in which an individual is enrolled, or
2-28 both; and
2-29 (3) the number of individuals to whom this section
2-30 applies who have obtained competitive and integrated employment,
2-31 categorized by waiver program and, if applicable, an individual's
2-32 level of care.
2-33 SECTION 2. As soon as practicable after the effective date
2-34 of this Act, the executive commissioner of the Health and Human
2-35 Services Commission shall adopt rules as necessary to implement
2-36 Section 531.02448, Government Code, as added by this Act.
2-37 SECTION 3. Notwithstanding Section 531.02448(e),
2-38 Government Code, as added by this Act, the executive commissioner
2-39 of the Health and Human Services Commission shall submit the first
2-40 report required by that section not later than December 31, 2022.
2-41 SECTION 4. The Health and Human Services Commission is
2-42 required to implement a provision of this Act only if the
2-43 legislature appropriates money to the commission specifically for
2-44 that purpose. If the legislature does not appropriate money
2-45 specifically for that purpose, the commission may, but is not
2-46 required to, implement a provision of this Act using other
2-47 appropriations that are available for that purpose.
2-48 SECTION 5. This Act takes effect September 1, 2019.

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