

By: Watson

S.B. No. 704

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the provision of certain support services to persons
3 who are deaf-blind.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 81.001, Human Resources Code, is amended
6 by adding Subdivision (1) to read as follows:

7 (1) "Commission" means the Health and Human Services
8 Commission.

9 SECTION 2. Chapter 81, Human Resources Code, is amended by
10 adding Section 81.014 to read as follows:

11 Sec. 81.014. SUPPORT SERVICES PROGRAM FOR PERSONS WHO ARE
12 DEAF-BLIND. (a) In this section:

13 (1) "Communication mode" includes communication
14 through:

15 (A) auditory amplification, such as through a
16 personal hearing aid or assistive listening device;

17 (B) American Sign Language or Signed English; and

18 (C) tactile American Sign Language.

19 (2) "Deaf-blind support services" means services
20 provided to a person who is deaf-blind that assist the person with
21 accessing the person's environment and allow the person to make
22 informed decisions. The term includes providing visual and
23 environmental information or sighted guide services and assisting
24 with communication accessibility by communicating in the preferred

1 language and communication mode of the person who is deaf-blind.

2 The term does not include performing any of the following for the
3 person:

4 (A) providing personal care services to the
5 person;

6 (B) completing ordinary errands for the person;

7 (C) making decisions for the person;

8 (D) teaching or otherwise instructing the
9 person; or

10 (E) interpreting for the person in a formal
11 setting, including a medical, legal, or business setting.

12 (3) "Program" means the deaf-blind support services
13 program.

14 (4) "Provider of deaf-blind support services" means a
15 person who is specially trained to provide deaf-blind support
16 services.

17 (b) The commission shall operate a statewide deaf-blind
18 support services program through which:

19 (1) deaf-blind support services are provided by
20 providers of deaf-blind support services; and

21 (2) the commission reimburses the providers for the
22 provision of the services.

23 (c) The executive commissioner by rule shall establish
24 reimbursement rates to be paid to a provider of deaf-blind support
25 services under the program. The reimbursement rates must use a
26 tiered wage scale that is based on the provider's:

27 (1) level of training in communication modes for

1 persons who are deaf-blind and in sighted guide-mobility
2 techniques; and

3 (2) fluency in communication modes for persons who are
4 deaf-blind.

5 (d) The commission shall ensure that quality deaf-blind
6 support services are provided under the program by:

7 (1) monitoring the compliance of providers of
8 deaf-blind support services with program rules;

9 (2) developing funding sources for the program that
10 are in addition to state sources and will reduce reliance on the
11 state sources for continuation of the program; and

12 (3) providing funding and technical assistance for
13 training programs for:

14 (A) providers of deaf-blind support services
15 under the program; and

16 (B) persons who are deaf-blind to enable those
17 persons to effectively use the services offered under the program.

18 (e) The executive commissioner may establish an advisory
19 committee to advise the commission in developing and operating the
20 program, including operating the program in a manner that ensures
21 the efficient use of state money. Subject to Section 2110.002,
22 Government Code, the executive commissioner shall determine the
23 number of members serving on the advisory committee, which must
24 include persons who are deaf-blind and other stakeholders.

25 (f) The executive commissioner may adopt rules necessary
26 to:

27 (1) operate the program in a manner that is efficient

1 and maximizes the number of persons served; and

2 (2) ensure that providers of deaf-blind support
3 services receiving reimbursement under the program have adequate
4 training to provide those services.

5 SECTION 3. Not later than September 1, 2020:

6 (1) the executive commissioner of the Health and Human
7 Services Commission shall adopt rules necessary to implement
8 Section 81.014, Human Resources Code, as added by this Act; and

9 (2) the commission shall begin operating the program
10 required by that section.

11 SECTION 4. This Act takes effect September 1, 2019.