

By: Beckley

H.B. No. 3657

A BILL TO BE ENTITLED

AN ACT

1
2 relating to measures designed to encourage and enable certain
3 persons with disabilities and their families to maintain employment
4 in this state.

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

6 SECTION 1. Section 29.0112(b), Education Code, is amended
7 to read as follows:

8 (b) The transition and employment guide must be written in
9 plain language and contain information specific to this state
10 regarding:

11 (1) transition services;

12 (2) employment and supported employment services;

13 (3) social security programs, including the Ticket to
14 Work Program authorized by the Ticket to Work and Work Incentives
15 Improvement Act of 1999 (Pub. L. No. 106-170);

16 (4) community and long-term services and support,
17 including the option to place the student on a waiting list with a
18 governmental agency for public benefits available to the student,
19 such as a waiver program established under Section 1915(c), Social
20 Security Act (42 U.S.C. Section 1396n(c));

21 (5) postsecondary educational programs and services,
22 including the inventory maintained by the Texas Higher Education
23 Coordinating Board under Section 61.0663;

24 (6) information sharing with health and human services

1 agencies and providers;

2 (7) guardianship and alternatives to guardianship,
3 including a supported decision-making agreement under Chapter
4 1357, Estates Code;

5 (8) self-advocacy, person-directed planning, and
6 self-determination; ~~and~~

7 (9) contact information for all relevant state
8 agencies;

9 (10) the Medicaid buy-in programs implemented under
10 Section 531.02444, Government Code; and

11 (11) other available work incentive programs.

12 SECTION 2. Section 531.02444, Government Code, is amended
13 by amending Subsections (a) and (b) and adding Subsection (d) to
14 read as follows:

15 (a) The executive commissioner shall develop and implement:

16 (1) a Medicaid buy-in program for persons with
17 disabilities whose household incomes do not exceed 300 percent of
18 the applicable federal poverty level as authorized by the Ticket to
19 Work and Work Incentives Improvement Act of 1999 (Pub. L.
20 No. 106-170) or the Balanced Budget Act of 1997 (Pub. L.
21 No. 105-33); and

22 (2) as authorized by the Deficit Reduction Act of 2005
23 (Pub. L. No. 109-171), a Medicaid buy-in program for children with
24 disabilities ~~[that is]~~ described by 42 U.S.C. Section 1396a(cc)(1)
25 whose family incomes do not exceed 300 percent of the applicable
26 federal poverty level.

27 (b) Subject to Subsection (c), the ~~[The]~~ executive

1 commissioner shall adopt rules in accordance with federal law that
2 provide for:

3 (1) eligibility requirements for each program
4 described by Subsection (a); and

5 (2) requirements for participants in the program to
6 pay premiums or cost-sharing payments, subject to Subsection (c).

7 (d) In adopting rules under Subsection (b), the executive
8 commissioner may not:

9 (1) set a household or family income limit for
10 eligibility for a program described by Subsection (a)(1) or (2)
11 that is less than the maximum amount prescribed by Subsection (a)
12 for the program; or

13 (2) impose resource limits for eligibility for either
14 program.

15 SECTION 3. If before implementing any provision of this Act
16 a state agency determines that a waiver or authorization from a
17 federal agency is necessary for implementation of that provision,
18 the agency affected by the provision shall request the waiver or
19 authorization and may delay implementing that provision until the
20 waiver or authorization is granted.

21 SECTION 4. This Act takes effect September 1, 2021.