

By: Rose, Sherman, Sr.

H.B. No. 729

A BILL TO BE ENTITLED

AN ACT

relating to the statewide intellectual and developmental disability coordinating council.

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

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter M-2 to read as follows:

SUBCHAPTER M-2. STATEWIDE INTELLECTUAL AND DEVELOPMENTAL  
DISABILITY COORDINATING COUNCIL

Sec. 531.491. DEFINITION. In this subchapter, "council" means the statewide intellectual and developmental disability coordinating council.

Sec. 531.492. PURPOSE. The council is established to ensure this state develops a strategic approach for the provision of intellectual and developmental disability services in this state.

Sec. 531.493. COMPOSITION OF COUNCIL. (a) The council is composed of the following members:

(1) subject to Subsection (b), one or more representatives designated by each of the following entities:

(A) the Department of State Health Services;

(B) the Department of Family and Protective Services;

(C) the Texas Workforce Commission;

(D) the Texas Education Agency;

1           (E) the Texas Center for Disability Studies at  
2 The University of Texas at Austin;

3           (F) the Center on Disability and Development at  
4 Texas A&M University;

5           (G) the Texas Department of Criminal Justice; and

6           (H) the Commission on Jail Standards; and

7           (2) the following members appointed by the executive  
8 commissioner:

9           (A) a representative of a local intellectual and  
10 developmental disability authority as defined by Section 531.002,  
11 Health and Safety Code;

12           (B) a representative of the Governor's Committee  
13 on People with Disabilities;

14           (C) a representative of the Texas Council for  
15 Developmental Disabilities;

16           (D) a representative of the Arc of Texas;

17           (E) a representative of a managed care  
18 organization;

19           (F) a provider of Medicaid long-term services and  
20 supports;

21           (G) an individual or family member of an  
22 individual with an intellectual or developmental disability  
23 receiving home and community-based services, including under the  
24 home and community-based services (HCS) waiver program;

25           (H) an individual or family member of an  
26 individual with an intellectual or developmental disability  
27 residing in a private intermediate care facility for individuals

1 with an intellectual disability licensed under Chapter 252, Health  
2 and Safety Code;

3 (I) an individual or family member of an  
4 individual with an intellectual or developmental disability  
5 residing in a state supported living center, as defined by Section  
6 531.002, Health and Safety Code;

7 (J) a representative of the commission's office  
8 of the ombudsman;

9 (K) representatives of the commission, with one  
10 representative appointed from each division of the commission with  
11 responsibility for:

12 (i) Medicaid and the Children's Health  
13 Insurance Program services;

14 (ii) intellectual and developmental  
15 disability behavioral health services;

16 (iii) health and specialty care system  
17 employment;

18 (iv) health, developmental, and  
19 independence services; and

20 (v) access and eligibility services;

21 (L) a physician; and

22 (M) any additional members as the executive  
23 commissioner determines appropriate who are recognized experts  
24 serving individuals with intellectual and developmental  
25 disabilities or who represent the interests of individuals with  
26 intellectual and developmental disabilities.

27 (b) The executive commissioner shall determine the number

1 of representatives that each entity may designate under Subsection  
2 (a)(1) to serve on the council.

3 (c) The council may authorize another state agency or  
4 institution that provides specific intellectual and developmental  
5 disability services with the use of money appropriated by this  
6 state to designate a representative to the council.

7 (d) A council member serves at the pleasure of the  
8 designating entity.

9 (e) Chapter 2110 does not apply to the composition of the  
10 council.

11 Sec. 531.494. PRESIDING OFFICER; TERMS; VACANCY. (a) The  
12 executive commissioner shall designate a member of the council to  
13 serve as the presiding officer.

14 (b) Council members serve three-year terms.

15 (c) The appropriate authority shall fill a vacancy on the  
16 council in the same manner as the original designation or  
17 appointment.

18 (d) A council member designated or appointed to fill a  
19 vacancy holds the office for the unexpired portion of the term.

20 Sec. 531.495. MEETINGS. The council shall meet at least once  
21 quarterly or more frequently at the call of the presiding officer.

22 Sec. 531.496. DUTIES. The council:

23 (1) shall, in accordance with Section 531.497:

24 (A) develop a recurring five-year statewide  
25 intellectual and developmental disability strategic plan and  
26 monitor the implementation of the plan; and

27 (B) submit the strategic plan to the executive

1 commissioner and the administrative head of each agency subject to  
2 the plan;

3 (2) shall develop and, not later than November 1 of  
4 each even-numbered year, submit to the legislature a biennial  
5 coordinated statewide intellectual and developmental disability  
6 expenditure proposal;

7 (3) shall annually publish an updated inventory of  
8 state-funded intellectual and developmental disability programs  
9 and services that includes:

10 (A) a description of the manner in which those  
11 programs and services further the purpose of the statewide  
12 intellectual and developmental disability strategic plan; and

13 (B) an estimate of the number of individuals  
14 waiting for or interested in receiving those programs and services;  
15 and

16 (4) may facilitate opportunities to increase  
17 collaboration for the effective expenditure of available federal  
18 and state funds for intellectual and developmental disability  
19 services in this state.

20 Sec. 531.497. RECURRING FIVE-YEAR STRATEGIC PLAN AND  
21 RELATED IMPLEMENTATION PLANS. (a) Not later than March 1 of the  
22 last state fiscal year in each five-year period covered by the most  
23 recent strategic plan required under Section 531.496(1), the  
24 council shall:

25 (1) develop a new strategic plan for the next five  
26 state fiscal years that begins with the following fiscal year; and

27 (2) submit the new strategic plan to the executive

1 commissioner and the administrative head of each agency subject to  
2 the strategic plan.

3 (b) Not later than the 90th day after receiving the  
4 strategic plan required under Section 531.496(1), the executive  
5 commissioner and the administrative head of each agency that is  
6 subject to the plan shall develop and submit to the governor, the  
7 lieutenant governor, and the legislature a plan for implementing  
8 the recommendations applicable to the agency under the strategic  
9 plan. An implementation plan must include a justification for any  
10 recommendation the commission or other agency declines to  
11 implement.

12 Sec. 531.498. APPLICATION OF SUNSET ACT. The council is  
13 subject to Chapter 325 (Texas Sunset Act). The council shall be  
14 reviewed during the period in which the commission is reviewed  
15 under Section 531.004. Unless continued in existence as provided by  
16 Chapter 325, the council is abolished and this subchapter expires  
17 on the date on which the commission is subject to abolishment under  
18 that section.

19 SECTION 2. (a) Not later than January 31, 2024, the  
20 appropriate authorities shall designate or appoint, as applicable,  
21 members to the statewide intellectual and developmental disability  
22 coordinating council as required by Section 531.493(a), Government  
23 Code, as added by this Act.

24 (b) Not later than March 1, 2024, the statewide intellectual  
25 and developmental disability coordinating council established  
26 under Subchapter M-2, Chapter 531, Government Code, as added by  
27 this Act, shall hold the council's initial meeting.

1           (c) Not later than March 1, 2025, the statewide intellectual  
2 and developmental disability coordinating council shall prepare  
3 the initial strategic plan required by Section 531.496(1),  
4 Government Code, as added by this Act.

5           SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2023.