

By: Rose

H.B. No. 729

Substitute the following for H.B. No. 729:

By: Klick

C.S.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) a person or family member of an individual  
22 with an intellectual or developmental disability;

23           (H) a representative of the commission's office  
24 of the ombudsman;

25           (I) representatives of the commission, with one  
26 representative appointed from each division of the commission with  
27 responsibility for:

1                   (i) Medicaid and the Children's Health  
2 Insurance Program services;  
3                   (ii) intellectual and developmental  
4 disability behavioral health services;  
5                   (iii) health and specialty care system  
6 employment;  
7                   (iv) health, developmental, and  
8 independence services; and  
9                   (v) access and eligibility services;  
10                  (J) a physician; and  
11                  (K) any additional members as the executive  
12 commissioner determines appropriate who are recognized experts  
13 serving individuals with intellectual and developmental  
14 disabilities or who represent the interests of individuals with  
15 intellectual and developmental disabilities.

16                  (b) The executive commissioner shall determine the number  
17 of representatives that each entity may designate under Subsection  
18 (a)(1) to serve on the council.

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

23                  (d) A council member serves at the pleasure of the  
24 designating entity.

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

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

2 (c) The appropriate authority shall fill a vacancy on the  
3 council in the same manner as the original designation or  
4 appointment.

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

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

9 Sec. 531.496. DUTIES. The council:

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

11 (A) develop a recurring five-year statewide  
12 intellectual and developmental disability strategic plan and  
13 monitor the implementation of the plan; and

14 (B) submit the strategic plan to the executive  
15 commissioner and the administrative head of each agency subject to  
16 the plan;

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

21 (3) shall annually publish an updated inventory of  
22 state-funded intellectual and developmental disability programs  
23 and services that includes:

24 (A) a description of the manner in which those  
25 programs and services further the purpose of the statewide  
26 intellectual and developmental disability strategic plan; and

27 (B) an estimate of the number of individuals

1 waiting for or interested in receiving those programs and services;  
2 and

3 (4) may facilitate opportunities to increase  
4 collaboration for the effective expenditure of available federal  
5 and state funds for intellectual and developmental disability  
6 services in this state.

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

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

14 (2) submit the new strategic plan to the executive  
15 commissioner and the administrative head of each agency subject to  
16 the strategic plan.

17 (b) Not later than the 90th day after receiving the  
18 strategic plan required under Section 531.496(1), the executive  
19 commissioner and the administrative head of each agency that is  
20 subject to the plan shall develop and submit to the governor, the  
21 lieutenant governor, and the legislature a plan for implementing  
22 the recommendations applicable to the agency under the strategic  
23 plan. An implementation plan must include a justification for any  
24 recommendation the commission or other agency declines to  
25 implement.

26 Sec. 531.498. APPLICATION OF SUNSET ACT. The council is  
27 subject to Chapter 325 (Texas Sunset Act). The council shall be

1 reviewed during the period in which the commission is reviewed  
2 under Section 531.004. Unless continued in existence as provided by  
3 Chapter 325, the council is abolished and this subchapter expires  
4 on the date on which the commission is subject to abolishment under  
5 that section.

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

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

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

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