

1-1 By: Rose, Sherman, Sr. (Senate Sponsor - West) H.B. No. 729
 1-2 (In the Senate - Received from the House April 5, 2023;
 1-3 April 12, 2023, read first time and referred to Committee on Health
 1-4 & Human Services; May 21, 2023, reported favorably by the following
 1-5 vote: Yeas 7, Nays 1; May 21, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the statewide intellectual and developmental
 1-20 disability coordinating council.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 531, Government Code, is amended by
 1-23 adding Subchapter M-2 to read as follows:

1-24 SUBCHAPTER M-2. STATEWIDE INTELLECTUAL AND DEVELOPMENTAL
 1-25 DISABILITY COORDINATING COUNCIL

1-26 Sec. 531.491. DEFINITION. In this subchapter, "council"
 1-27 means the statewide intellectual and developmental disability
 1-28 coordinating council.

1-29 Sec. 531.492. PURPOSE. The council is established to
 1-30 ensure this state develops a strategic approach for the provision
 1-31 of intellectual and developmental disability services in this
 1-32 state.

1-33 Sec. 531.493. COMPOSITION OF COUNCIL. (a) The council is
 1-34 composed of the following members:

1-35 (1) subject to Subsection (b), one or more
 1-36 representatives designated by each of the following entities:

1-37 (A) the Department of State Health Services;

1-38 (B) the Department of Family and Protective
 1-39 Services;

1-40 (C) the Texas Workforce Commission;

1-41 (D) the Texas Education Agency;

1-42 (E) the Texas Center for Disability Studies at
 1-43 The University of Texas at Austin;

1-44 (F) the Center on Disability and Development at
 1-45 Texas A&M University;

1-46 (G) the Texas Department of Criminal Justice; and

1-47 (H) the Commission on Jail Standards; and

1-48 (2) the following members appointed by the executive
 1-49 commissioner:

1-50 (A) a representative of a local intellectual and
 1-51 developmental disability authority as defined by Section 531.002,
 1-52 Health and Safety Code;

1-53 (B) a representative of the Governor's Committee
 1-54 on People with Disabilities;

1-55 (C) a representative of the Texas Council for
 1-56 Developmental Disabilities;

1-57 (D) a representative of the Arc of Texas;

1-58 (E) a representative of a managed care
 1-59 organization;

1-60 (F) a provider of Medicaid long-term services and
 1-61 supports;

2-1 (G) an individual or family member of an
2-2 individual with an intellectual or developmental disability
2-3 receiving home and community-based services, including under the
2-4 home and community-based services (HCS) waiver program;
2-5 (H) an individual or family member of an
2-6 individual with an intellectual or developmental disability
2-7 residing in a private intermediate care facility for individuals
2-8 with an intellectual disability licensed under Chapter 252, Health
2-9 and Safety Code;
2-10 (I) an individual or family member of an
2-11 individual with an intellectual or developmental disability
2-12 residing in a state supported living center, as defined by Section
2-13 531.002, Health and Safety Code;
2-14 (J) a representative of the commission's office
2-15 of the ombudsman;
2-16 (K) representatives of the commission, with one
2-17 representative appointed from each division of the commission with
2-18 responsibility for:
2-19 (i) Medicaid and the Children's Health
2-20 Insurance Program services;
2-21 (ii) intellectual and developmental
2-22 disability behavioral health services;
2-23 (iii) health and specialty care system
2-24 employment;
2-25 (iv) health, developmental, and
2-26 independence services; and
2-27 (v) access and eligibility services;
2-28 (L) a physician; and
2-29 (M) any additional members as the executive
2-30 commissioner determines appropriate who are recognized experts
2-31 serving individuals with intellectual and developmental
2-32 disabilities or who represent the interests of individuals with
2-33 intellectual and developmental disabilities.
2-34 (b) The executive commissioner shall determine the number
2-35 of representatives that each entity may designate under Subsection
2-36 (a)(1) to serve on the council.
2-37 (c) The council may authorize another state agency or
2-38 institution that provides specific intellectual and developmental
2-39 disability services with the use of money appropriated by this
2-40 state to designate a representative to the council.
2-41 (d) A council member serves at the pleasure of the
2-42 designating entity.
2-43 (e) Chapter 2110 does not apply to the composition of the
2-44 council.
2-45 Sec. 531.494. PRESIDING OFFICER; TERMS; VACANCY. (a) The
2-46 executive commissioner shall designate a member of the council to
2-47 serve as the presiding officer.
2-48 (b) Council members serve three-year terms.
2-49 (c) The appropriate authority shall fill a vacancy on the
2-50 council in the same manner as the original designation or
2-51 appointment.
2-52 (d) A council member designated or appointed to fill a
2-53 vacancy holds the office for the unexpired portion of the term.
2-54 Sec. 531.495. MEETINGS. The council shall meet at least once
2-55 quarterly or more frequently at the call of the presiding officer.
2-56 Sec. 531.496. DUTIES. The council:
2-57 (1) shall, in accordance with Section 531.497:
2-58 (A) develop a recurring five-year statewide
2-59 intellectual and developmental disability strategic plan and
2-60 monitor the implementation of the plan; and
2-61 (B) submit the strategic plan to the executive
2-62 commissioner and the administrative head of each agency subject to
2-63 the plan;
2-64 (2) shall develop and, not later than November 1 of
2-65 each even-numbered year, submit to the legislature a biennial
2-66 coordinated statewide intellectual and developmental disability
2-67 expenditure proposal;
2-68 (3) shall annually publish an updated inventory of
2-69 state-funded intellectual and developmental disability programs

3-1 and services that includes:

3-2 (A) a description of the manner in which those
3-3 programs and services further the purpose of the statewide
3-4 intellectual and developmental disability strategic plan; and

3-5 (B) an estimate of the number of individuals
3-6 waiting for or interested in receiving those programs and services;
3-7 and

3-8 (4) may facilitate opportunities to increase
3-9 collaboration for the effective expenditure of available federal
3-10 and state funds for intellectual and developmental disability
3-11 services in this state.

3-12 Sec. 531.497. RECURRING FIVE-YEAR STRATEGIC PLAN AND
3-13 RELATED IMPLEMENTATION PLANS. (a) Not later than March 1 of the
3-14 last state fiscal year in each five-year period covered by the most
3-15 recent strategic plan required under Section 531.496(1), the
3-16 council shall:

3-17 (1) develop a new strategic plan for the next five
3-18 state fiscal years that begins with the following fiscal year; and

3-19 (2) submit the new strategic plan to the executive
3-20 commissioner and the administrative head of each agency subject to
3-21 the strategic plan.

3-22 (b) Not later than the 90th day after receiving the
3-23 strategic plan required under Section 531.496(1), the executive
3-24 commissioner and the administrative head of each agency that is
3-25 subject to the plan shall develop and submit to the governor, the
3-26 lieutenant governor, and the legislature a plan for implementing
3-27 the recommendations applicable to the agency under the strategic
3-28 plan. An implementation plan must include a justification for any
3-29 recommendation the commission or other agency declines to
3-30 implement.

3-31 Sec. 531.498. APPLICATION OF SUNSET ACT. The council is
3-32 subject to Chapter 325 (Texas Sunset Act). The council shall be
3-33 reviewed during the period in which the commission is reviewed
3-34 under Section 531.004. Unless continued in existence as provided by
3-35 Chapter 325, the council is abolished and this subchapter expires
3-36 on the date on which the commission is subject to abolishment under
3-37 that section.

3-38 SECTION 2. (a) Not later than January 31, 2024, the
3-39 appropriate authorities shall designate or appoint, as applicable,
3-40 members to the statewide intellectual and developmental disability
3-41 coordinating council as required by Section 531.493(a), Government
3-42 Code, as added by this Act.

3-43 (b) Not later than March 1, 2024, the statewide intellectual
3-44 and developmental disability coordinating council established
3-45 under Subchapter M-2, Chapter 531, Government Code, as added by
3-46 this Act, shall hold the council's initial meeting.

3-47 (c) Not later than March 1, 2025, the statewide intellectual
3-48 and developmental disability coordinating council shall prepare
3-49 the initial strategic plan required by Section 531.496(1),
3-50 Government Code, as added by this Act.

3-51 SECTION 3. This Act takes effect immediately if it receives
3-52 a vote of two-thirds of all the members elected to each house, as
3-53 provided by Section 39, Article III, Texas Constitution. If this
3-54 Act does not receive the vote necessary for immediate effect, this
3-55 Act takes effect September 1, 2023.

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