

By: Moody

H.B. No. 1397

A BILL TO BE ENTITLED

AN ACT

relating to the provision of community recovery organization peer-to-peer services under Medicaid.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.09991 to read as follows:

Sec. 531.09991. COMMUNITY RECOVERY ORGANIZATIONS. (a) In this section, "community recovery organization" means a nonprofit organization that:

(1) mobilizes resources inside and outside of a local community to increase the prevalence and quality of long-term recovery for individuals with a substance use or mental health condition and their affected family members;

(2) is governed by members of the local community:

(A) at least 51 percent of whom identify as an individual recovering from a substance use or mental health condition; and

(B) the remainder of whom identify as an affected family member of an individual recovering from a substance use or mental health condition; and

(3) aligns with applicable national best practices recognized by the commission.

(b) The executive commissioner shall adopt rules to provide Medicaid reimbursement for peer-to-peer services provided by

1 community recovery organizations, which must include:

2 (1) rules that establish training requirements for  
3 community recovery organization peer-to-peer service providers;

4 (2) rules that establish certification and  
5 supervision requirements for community recovery organizations;

6 (3) rules that define the scope of peer-to-peer  
7 services that community recovery organizations may provide;

8 (4) rules that distinguish peer-to-peer services  
9 provided by community recovery organizations from other services  
10 that a person must hold a license to provide; and

11 (5) any other rules necessary to protect the health  
12 and safety of individuals receiving services provided by community  
13 recovery organizations.

14 (c) The executive commissioner shall establish a work group  
15 to provide input for the adoption of rules under Subsection (b) and  
16 shall consider that input in adopting rules under that subsection.  
17 The work group is composed of at least nine but not more than 13  
18 members with expertise in substance use disorder recovery or  
19 community recovery organizations. The executive commissioner  
20 shall ensure that at least half of the work group members are from  
21 rural communities in this state.

22 (d) The executive commissioner shall appoint one work group  
23 member to serve as presiding officer.

24 (e) The work group is automatically abolished on the  
25 adoption of rules under Subsection (b).

26 (f) Subsections (c), (d), and (e) and this subsection expire  
27 September 1, 2025.

1 SECTION 2. Effective January 1, 2025, Section 32.024, Human  
2 Resources Code, is amended by adding Subsection (pp) to read as  
3 follows:

4 (pp) The commission in the commission's rules and standards  
5 governing the scope of services provided under the medical  
6 assistance program shall include peer-to-peer services provided by  
7 community recovery organizations as defined by Section 531.09991,  
8 Government Code, to the extent permitted by federal law.

9 SECTION 3. Not later than December 31, 2023, the executive  
10 commissioner of the Health and Human Services Commission shall  
11 establish the work group required by Section 531.09991, Government  
12 Code, as added by this Act.

13 SECTION 4. Not later than December 31, 2024, the executive  
14 commissioner of the Health and Human Services Commission shall  
15 adopt the rules required by Section 531.09991, Government Code, as  
16 added by this Act.

17 SECTION 5. If before implementing any provision of this Act  
18 a state agency determines that a waiver or authorization from a  
19 federal agency is necessary for implementation of that provision,  
20 the agency affected by the provision shall request the waiver or  
21 authorization and may delay implementing that provision until the  
22 waiver or authorization is granted.

23 SECTION 6. Except as otherwise provided by this Act, this  
24 Act takes effect September 1, 2023.