

By: Campos, Plesa, Garcia

H.B. No. 4702

A BILL TO BE ENTITLED

AN ACT

relating to peer support specialists for certain individuals with an intellectual or developmental disability and peer services for those individuals 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. PEER SUPPORT SPECIALISTS FOR CERTAIN INDIVIDUALS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY. (a) With input from intellectual and developmental disability peer support specialists and the work group described by Subsection (c), the commission shall develop and the executive commissioner shall adopt:

(1) rules to establish accessible and validated training requirements for peer support specialists who provide services to individuals with an intellectual or developmental disability;

(2) rules that establish certification and supervision requirements for intellectual and developmental disability peer support specialists to ensure compliance with this section;

(3) rules that define the scope of services an intellectual and developmental disability peer support specialist may provide;

1           (4) rules that distinguish peer support services for  
2 individuals with an intellectual or developmental disability from  
3 other services that require the provider to hold a license or  
4 certification; and

5           (5) any other rules necessary to protect the health  
6 and safety of individuals receiving peer support services.

7           (b) The rules adopted under Subsection (a) do not apply to  
8 the provision of peer support services to residents of a state  
9 supported living center, as defined by Section 531.002, Health and  
10 Safety Code.

11           (c) The commission shall establish a stakeholder work group  
12 to provide input for the adoption of rules under Subsection (a).  
13 The work group is composed of the following stakeholders appointed  
14 by the executive commissioner:

15           (1) at least one mental health and substance use  
16 disorder peer support specialist;

17           (2) at least one intellectual and developmental  
18 disability peer support specialist;

19           (3) a representative of each of the following:

20                   (A) the commission's Peer and Recovery Services  
21 Programs, Planning, and Policy unit;

22                   (B) the commission's Office of Disability  
23 Services Coordination;

24                   (C) the Texas Council for Developmental  
25 Disabilities;

26                   (D) Texas Parent to Parent; and

27                   (E) Texas Advocates; and

1           (4) a person who is certified as a trainer by Texas  
2 Advocates under the People Planning Together program.

3           (d) The executive commissioner shall appoint one member of  
4 the work group to serve as presiding officer.

5           (e) The work group shall meet once every month.

6           (f) The work group is automatically abolished on the  
7 adoption of rules under Subsection (a).

8           SECTION 2. Section 32.024(kk), Human Resources Code, is  
9 amended to read as follows:

10           (kk) The commission in its rules and standards governing the  
11 scope of services provided under the medical assistance program  
12 shall include peer services provided by certified peer specialists,  
13 including peer support services provided to individuals with an  
14 intellectual or developmental disability, to the extent permitted  
15 by federal law.

16           SECTION 3. As soon as practicable after the effective date  
17 of this Act, the executive commissioner of the Health and Human  
18 Services Commission shall:

19           (1) adopt the rules required by Section 531.09991(a),  
20 Government Code, as added by this Act; and

21           (2) appoint the members of the stakeholder work group  
22 established by Section 531.09991(c), Government Code, as added by  
23 this Act.

24           SECTION 4. If before implementing any provision of this Act  
25 a state agency determines that a waiver or authorization from a  
26 federal agency is necessary for implementation of that provision,  
27 the agency affected by the provision shall request the waiver or

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1 authorization and may delay implementing that provision until the  
2 waiver or authorization is granted.

3 SECTION 5. This Act takes effect September 1, 2023.