

By: Gervin-Hawkins

H.B. No. 4110

A BILL TO BE ENTITLED

AN ACT

relating to establishing a minimum base wage for certain direct care workers under Medicaid.

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

SECTION 1. Chapter 546, Government Code, as effective April 1, 2025, is amended by adding Subchapter P to read as follows:

SUBCHAPTER P. DIRECT CARE SERVICES

Sec. 546.0751. DEFINITIONS. In this subchapter:

(1) "Direct care services" means nonmedical services that enable an individual to engage in the activities of daily living or to perform the physical functions required for independent living, including:

(A) bathing, dressing, grooming, feeding, exercising, toileting, positioning, routine hair and skin care, and other personal care services;

(B) transfer or ambulation, transportation, and other mobility support services;

(C) light housekeeping, grocery shopping, meal preparation, laundry, and other household assistance;

(D) assisting with self-administered medications;

(E) monitoring health-related needs and other health management needs; and

(F) in-home respite services.

1 (2) "Direct care worker" means an individual who is
2 engaged as an employee or subcontractor to directly provide direct
3 care services to an individual with an intellectual or
4 developmental disability who is eligible to receive those services
5 under a 1915(c) waiver program or the Community First Choice
6 services program.

7 Sec. 546.0752. MINIMUM BASE WAGE FOR DIRECT CARE WORKERS.
8 Notwithstanding Section 62.051 or 62.151, Labor Code, or any other
9 law, a direct care worker providing direct care services must be
10 paid a base wage that is not less than the greater of:

11 (1) \$15 an hour; or

12 (2) the federal minimum wage under Section 6, Fair
13 Labor Standards Act of 1938 (29 U.S.C. Section 206).

14 Sec. 546.0753. RULES. The executive commissioner shall
15 adopt rules necessary to implement this subchapter.

16 SECTION 2. Section 546.0752, Government Code, as added by
17 this Act, applies beginning with the 2026 calendar year.

18 SECTION 3. If before implementing any provision of this Act
19 a state agency determines that a waiver or authorization from a
20 federal agency is necessary for implementation of that provision,
21 the agency affected by the provision shall request the waiver or
22 authorization and may delay implementing that provision until the
23 waiver or authorization is granted.

24 SECTION 4. This Act takes effect September 1, 2025.