

1-1 By: Delisi, Uresti (Senate Sponsor - Deuell) H.B. No. 3484
1-2 (In the Senate - Received from the House April 25, 2003;
1-3 April 28, 2003, read first time and referred to Committee on Health
1-4 and Human Services; May 7, 2003, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 7, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to health care coverage and services and other
1-9 infrastructures for employed persons with disabilities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 531, Government Code, is
1-12 amended by adding Section 531.02443 to read as follows:

1-13 Sec. 531.02443. WORK GROUP ON HEALTH CARE OPTIONS FOR
1-14 CERTAIN PERSONS WITH DISABILITIES. (a) A work group is established
1-15 to assist the commission in identifying, recommending, and
1-16 developing policy options to improve access to health care coverage
1-17 and services necessary to support increased employment of persons
1-18 with disabilities in this state.

1-19 (b) The commissioner shall determine the number of members
1-20 of the work group. The work group is composed of the following:

1-21 (1) representatives of the commission, appointed by
1-22 the commissioner;

1-23 (2) representatives of the Texas Department of Human
1-24 Services, appointed by the commissioner of human services;

1-25 (3) representatives of the Texas Department of Mental
1-26 Health and Mental Retardation, appointed by the commissioner of
1-27 mental health and mental retardation;

1-28 (4) representatives of the Texas Department of
1-29 Insurance, appointed by the commissioner of insurance;

1-30 (5) representatives of the Texas Workforce
1-31 Commission, appointed by the executive director of that agency;

1-32 (6) representatives of the Texas Rehabilitation
1-33 Commission, appointed by the commissioner of that agency;

1-34 (7) representatives of the Texas Commission for the
1-35 Blind, appointed by the executive director of that agency;

1-36 (8) representatives of local workforce development
1-37 boards, appointed by boards specified by the commissioner;

1-38 (9) representatives of the comptroller's office,
1-39 appointed by the comptroller;

1-40 (10) persons with disabilities, including persons
1-41 with mental illness or mental retardation, who are employed or have
1-42 employment goals, appointed by the commissioner; and

1-43 (11) advocates for persons with disabilities,
1-44 including advocates for persons with mental illness or mental
1-45 retardation, appointed by the commissioner.

1-46 (c) The commissioner shall designate a member of the work
1-47 group to serve as presiding officer. The members of the work group
1-48 shall elect any other necessary officers.

1-49 (d) The work group shall meet at the call of the
1-50 commissioner.

1-51 (e) A member of the work group serves at the will of the
1-52 appointing official or entity.

1-53 (f) A member of the work group may not receive compensation
1-54 for serving on the work group but is entitled to reimbursement for
1-55 travel expenses incurred by the member while conducting the
1-56 business of the work group as provided by the General
1-57 Appropriations Act.

1-58 (g) The work group shall examine options for access to
1-59 health care coverage and services for employed persons with
1-60 disabilities in this state. In examining those options, the work
1-61 group shall determine:

1-62 (1) the extent to which employers with employment
1-63 opportunities generally available to persons with disabilities,
1-64 including full-time and all levels of part-time opportunities,

2-1 offer health insurance or other health benefits coverage to their
 2-2 employees;

2-3 (2) the types and adequacy of benefits related to the
 2-4 health care needs of employed persons with disabilities that are
 2-5 provided through health insurance or other health benefits coverage
 2-6 offered by their employers;

2-7 (3) Medicaid services utilization by persons with
 2-8 disabilities and cost data necessary to project the potential
 2-9 savings to the Medicaid program if those persons were provided
 2-10 health insurance or other health benefits coverage and supplemental
 2-11 Medicaid disability-related benefits not covered by that health
 2-12 insurance or other health benefits coverage;

2-13 (4) the use in this state of existing employment
 2-14 incentive programs under the Supplemental Security Income (SSI)
 2-15 programs (42 U.S.C. Section 1381 et seq.), as amended, and Social
 2-16 Security disability insurance programs, including extended
 2-17 Medicaid coverage, and factors related to improved use of these
 2-18 programs to increase employment of persons with disabilities;

2-19 (5) the potential for increased use of the health
 2-20 insurance premium payment reimbursement program for medical
 2-21 assistance recipients under Section 32.0422, Human Resources Code,
 2-22 or other cost-sharing assistance options to enable employed persons
 2-23 with disabilities to receive health insurance or other health
 2-24 benefits coverage provided by employers; and

2-25 (6) the projected impact on the rate of employment of
 2-26 persons with disabilities of implementing a Medicaid buy-in program
 2-27 as authorized by the Ticket to Work and Work Incentives Improvement
 2-28 Act of 1999 (Pub. L. No. 106-170), as amended, or the Balanced
 2-29 Budget Act of 1997 (Pub. L. No. 105-33), as amended, including:

2-30 (A) the impact experienced in other states after
 2-31 implementing buy-in programs; and

2-32 (B) an estimate of Medicaid recipients with
 2-33 disabilities who would otherwise lose Medicaid eligibility as a
 2-34 result of increased income from employment.

2-35 (h) Based on the determinations under Subsection (g), the
 2-36 work group shall develop a proposal for a Medicaid buy-in program
 2-37 for this state, including eligibility and premium or other
 2-38 cost-sharing policies.

2-39 (i) The work group shall report its determinations under
 2-40 Subsection (g) and the proposal required by Subsection (h) to the
 2-41 commission. The commission, with the assistance of the work group,
 2-42 shall compile the information and prepare a report regarding
 2-43 policy options to improve access to health care coverage and
 2-44 services necessary to support increased employment of persons with
 2-45 disabilities in this state. Not later than November 1, 2004, the
 2-46 commission shall submit the report to the legislature.

2-47 (j) This section expires September 1, 2005.

2-48 SECTION 2. The Health and Human Services Commission shall
 2-49 use the federal grant awarded to the commission in 2001 under the
 2-50 Ticket to Work and Work Incentives Improvement Act of 1999 (Pub. L.
 2-51 No. 106-170), as amended, to support the design, establishment, and
 2-52 operation of infrastructures in this state that provide support
 2-53 services for employed persons with disabilities. The commission
 2-54 shall actively pursue the award of additional grants under that
 2-55 Act.

2-56 SECTION 3. This Act takes effect immediately if it receives
 2-57 a vote of two-thirds of all the members elected to each house, as
 2-58 provided by Section 39, Article III, Texas Constitution. If this
 2-59 Act does not receive the vote necessary for immediate effect, this
 2-60 Act takes effect September 1, 2003.

2-61 * * * * *