

By: Naishtat, King of Taylor,
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et al.

H.B. No. 165

Substitute the following for H.B. No. 165:

By: Rose

C.S.H.B. No. 165

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a career ladder for interveners who provide services
3 under the deaf-blind with multiple disabilities waiver program.

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

5 SECTION 1. Subchapter B, Chapter 531, Government Code, is
6 amended by adding Section 531.0973 to read as follows:

7 Sec. 531.0973. DEAF-BLIND WITH MULTIPLE DISABILITIES
8 WAIVER PROGRAM: CAREER LADDER FOR INTERVENERS. (a) In this
9 section, "deaf-blind related course work" means educational
10 courses designed to improve a student's:

11 (1) knowledge of deaf-blindness and its effect on
12 learning;

13 (2) knowledge of the role of intervention and ability
14 to facilitate the intervention process;

15 (3) knowledge of areas of communication relevant to
16 deaf-blindness, including methods, adaptations, and use of
17 assistive technology, and ability to facilitate a deaf-blind
18 person's development and use of communication skills;

19 (4) knowledge of the effect that deaf-blindness has on
20 a person's psychological, social, and emotional development and
21 ability to facilitate the emotional well-being of a deaf-blind
22 person;

23 (5) knowledge of and issues related to sensory systems
24 and ability to facilitate the use of the senses;

1 (6) knowledge of motor skills , movement, orientation,
2 and mobility strategies and ability to facilitate orientation and
3 mobility skills;

4 (7) knowledge of the effect that additional
5 disabilities have on a deaf-blind person and ability to provide
6 appropriate support; or

7 (8) professionalism and knowledge of ethical issues
8 relevant to the role of an intervener.

9 (b) The executive commissioner by rule shall adopt a career
10 ladder for persons who provide intervener services under the
11 deaf-blind with multiple disabilities waiver program. The rules
12 must provide a system under which each person may be classified
13 based on the person's level of training, education, and experience,
14 as one of the following:

15 (1) Intervener;

16 (2) Intervener I;

17 (3) Intervener II; or

18 (4) Intervener III.

19 (c) The rules adopted by the executive commissioner under
20 Subsection (b) must, at a minimum, require that:

21 (1) an Intervener:

22 (A) complete any orientation or training course
23 that is required to be completed by any person who provides direct
24 care services to recipients of services under the deaf-blind with
25 multiple disabilities waiver program;

26 (B) hold a high school diploma or a high school
27 equivalency certificate;

1 (C) have at least two years of experience working
2 with individuals with developmental disabilities;

3 (D) have the ability to proficiently communicate
4 in the functional language of the deaf-blind person; and

5 (E) meet all direct care worker qualifications as
6 determined by the deaf-blind with multiple disabilities waiver
7 program;

8 (2) an Intervener I:

9 (A) meet the requirements of an Intervener under
10 Subdivision (1);

11 (B) have at least six months of experience
12 working with deaf-blind persons; and

13 (C) have completed at least eight semester credit
14 hours, plus a one-hour practicum in deaf-blind related course work,
15 at an accredited college or university;

16 (3) an Intervener II:

17 (A) meet the requirements of an Intervener I;

18 (B) have at least nine months of experience
19 working with deaf-blind persons; and

20 (C) have completed an additional 10 semester
21 credit hours in deaf-blind related course work at an accredited
22 college or university; and

23 (4) an Intervener III:

24 (A) meet the requirements of an Intervener II;

25 (B) have at least one year of experience working
26 with deaf-blind persons; and

27 (C) hold an associate's or bachelor's degree from

1 an accredited college or university in a course of study with a
2 focus on deaf-blind related course work.

3 (d) Notwithstanding Subsections (b) and (c), the executive
4 commissioner may adopt a career ladder under this section based on
5 credentialing standards for interveners developed by the Academy
6 for Certification of Vision Rehabilitation and Education
7 Professionals or any other private credentialing entity that the
8 executive commissioner determines is appropriate.

9 (e) The compensation that an intervener receives for
10 providing services under the deaf-blind with multiple disabilities
11 waiver program must be based on and commensurate with the
12 intervener's career ladder classification.

13 SECTION 2. If before adopting rules under Section 531.0973,
14 Government Code, as added by this Act, the executive commissioner
15 of the Health and Human Services Commission determines that an
16 amendment to this state's deaf-blind with multiple disabilities
17 waiver under Section 1915(c) of the federal Social Security Act (42
18 U.S.C. Section 1396n(c)) or other authorization from the federal
19 Centers for Medicare and Medicaid Services or any other federal
20 agency is necessary, the executive commissioner shall apply for and
21 actively pursue the amendment or other authorization and may delay
22 adopting rules under Section 531.0973, Government Code, as added by
23 this Act, until the amendment or other authorization applied for
24 under this section is granted.

25 SECTION 3. This Act takes effect September 1, 2009.