

By: Naishtat

H.B. No. 165

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

(5) knowledge of and issues related to sensory systems 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-in-Training;

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-in-Training:

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; and

26 (B) be actively pursuing classification as an
27 Intervener I;

1 (2) an Intervener I:

2 (A) complete any orientation or training course
3 described by Subdivision (1)(A);

4 (B) hold a high school diploma or a high school
5 equivalency certificate; and

6 (C) have completed at least 10 semester credit
7 hours, including a two-hour practicum in deaf-blind related course
8 work, at a public or private institution of higher education;

9 (3) an Intervener II:

10 (A) meet the requirements of an Intervener I; and

11 (B) have completed an additional 10 semester
12 credit hours in deaf-blind related course work at a public or
13 private institution of higher education; and

14 (4) an Intervener III:

15 (A) meet the requirements of an Intervener II;
16 and

17 (B) hold an associate's or bachelor's degree from
18 a public or private institution of higher education.

19 (d) Notwithstanding Subsections (b) and (c), the executive
20 commissioner may adopt a career ladder under this section based on
21 credentialing standards for interveners developed by the Academy
22 for Certification of Vision Rehabilitation and Education
23 Professionals or any other private credentialing entity that the
24 executive commissioner determines is appropriate.

25 (e) The compensation that an intervener receives for
26 providing services under the deaf-blind with multiple disabilities
27 waiver program must be based on and commensurate with the

1 intervener's career ladder classification.

2 SECTION 2. If before adopting rules under Section 531.0973,
3 Government Code, as added by this Act, the executive commissioner
4 of the Health and Human Services Commission determines that an
5 amendment to this state's deaf-blind with multiple disabilities
6 waiver under Section 1915(c) of the federal Social Security Act (42
7 U.S.C. Section 1396n(c)) or other authorization from the federal
8 Centers for Medicare and Medicaid Services or any other federal
9 agency is necessary, the executive commissioner shall apply for and
10 actively pursue the amendment or other authorization and may delay
11 adopting rules under Section 531.0973, Government Code, as added by
12 this Act, until the amendment or other authorization applied for
13 under this section is granted.

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