

By: Truitt

H.B. No. 2303

A BILL TO BE ENTITLED

AN ACT

relating to the scope of services of and the persons who may be provided services by a community center.

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

SECTION 1. Section 531.002, Health and Safety Code, is amended by adding Subdivision (13-a) to read as follows:

(13-a) "Person with a developmental disability" means an individual with a severe, chronic disability attributable to a mental or physical impairment or a combination of mental and physical impairments that:

(A) manifests before the person reaches 22 years of age;

(B) is likely to continue indefinitely;

(C) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of a lifelong or extended duration and are individually planned and coordinated; and

(D) results in substantial functional limitations in three or more of the following categories of major life activity:

(i) self-care;

(ii) receptive and expressive language;

(iii) learning;

- 1                   (iv) mobility;
- 2                   (v) self-direction;
- 3                   (vi) capacity for independent living; and
- 4                   (vii) economic self-sufficiency.

5           SECTION 2. Section 534.001(e), Health and Safety Code, is  
6 amended to read as follows:

7           (e) Except as provided by this subsection, a [A] community  
8 center operating under this subchapter may operate only for the  
9 purposes and perform only the functions defined in the center's  
10 plan. The executive commissioner [board] by rule shall specify the  
11 elements that must be included in a plan and shall prescribe the  
12 procedure for submitting, approving, and modifying a center's plan.  
13 Notwithstanding the elements of a center's plan, the center may  
14 provide any other related services under a contract with or a grant  
15 received from a state or federal agency.

16           SECTION 3. Section 534.0015(b), Health and Safety Code, is  
17 amended to read as follows:

18           (b) It is the policy of this state that community centers  
19 strive to develop services for persons who are mentally ill or  
20 mentally retarded, and may provide requested services to persons  
21 with developmental disabilities or with [a] chemical dependencies  
22 [dependency], that are effective alternatives to treatment in a  
23 large residential facility.

24           SECTION 4. Section 534.0155(a), Health and Safety Code, is  
25 amended to read as follows:

26           (a) This subtitle does not prevent a community center from  
27 providing services to a person with a chemical dependency, ~~[or]~~ to a

1 person with a developmental disability, or to a person with a mental  
2 disability, as [~~that term is~~] defined by Section 535.001.

3 SECTION 5. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2009.