

By: Nelson

S.B. No. 1878

A BILL TO BE ENTITLED

AN ACT

relating to the creation and operation of a council to increase state efforts to offer service-enriched housing through increased coordination of housing and health services.

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

SECTION 1. Chapter 2306, Government Code, is amended by adding Subchapter NN to read as follows:

SUBCHAPTER NN. HOUSING AND HEALTH SERVICES COORDINATION COUNCIL

Sec. 2306.1091. DEFINITIONS. (a) In this subchapter, "council" means the housing and health services coordination council.

(b) With the advice and assistance of the council, the department by rule shall define "service-enriched housing" for the purposes of this subchapter.

Sec. 2306.1092. COMPOSITION. (a) The department shall establish a housing and health services coordination council.

(b) The council is composed of 16 members consisting of:

(1) the director;

(2) one representative from each of the following agencies, appointed by the head of that agency:

(A) the Office of Rural Community Affairs;

(B) the Texas State Affordable Housing Corporation;

(C) the Health and Human Services Commission;

1                   (D) the Department of Assistive and  
2 Rehabilitative Services;

3                   (E) the Department of Aging and Disability  
4 Services; and

5                   (F) the Department of State Health Services;

6                   (3) one representative from the Department of  
7 Agriculture who is:

8                   (A) knowledgeable about the Texans Feeding  
9 Texans and Retire in Texas programs or similar programs; and

10                   (B) appointed by the head of that agency;

11                   (4) one member who is:

12                   (A) a member of an advisory committee to the  
13 Department of Aging and Disability Services that promotes  
14 independence for older adults and persons with disabilities; and

15                   (B) appointed by the governor; and

16                   (5) one representative from each of the following  
17 interest groups, appointed by the governor:

18                   (A) financial institutions;

19                   (B) multifamily housing developers;

20                   (C) health services entities;

21                   (D) nonprofit organizations;

22                   (E) consumers of service-enriched housing;

23                   (F) advocates for minority issues; and

24                   (G) rural communities.

25                   (c) A member of the council appointed under Subsection  
26 (b)(2) must have, subject to the approval of the head of the agency,  
27 authority to make decisions for and commit resources of the agency

1 that the member represents and must have:

2 (1) administrative responsibility for agency programs  
3 for older adults or persons with disabilities;

4 (2) knowledge or experience regarding the  
5 implementation of projects that integrate housing and health  
6 services; or

7 (3) knowledge or experience regarding services used by  
8 older adults or persons with disabilities.

9 (d) The director serves as the presiding officer of the  
10 council.

11 Sec. 2306.1093. TERMS. (a) A member of the council who  
12 represents a state agency serves at the pleasure of the head of that  
13 agency.

14 (b) Members of the council who are appointed by the governor  
15 serve staggered six-year terms, with the terms of two or three  
16 members expiring on September 1 of each odd-numbered year.

17 Sec. 2306.1094. OPERATION OF COUNCIL. (a) The council  
18 shall meet at least quarterly.

19 (b) The department shall provide clerical and advisory  
20 support staff to the council.

21 (c) Except as provided by Section 2306.1095, Chapter 2110  
22 does not apply to the size, composition, or duration of the council.

23 Sec. 2306.1095. COMPENSATION AND REIMBURSEMENT. (a) A  
24 member of the council who is appointed by the governor may not  
25 receive compensation for service on the council. The member may  
26 receive reimbursement from the department for actual and necessary  
27 expenses incurred in performing council functions as provided by

1 Section 2110.004.

2 (b) A member of the council who is not appointed by the  
3 governor may not receive compensation for service on the council or  
4 reimbursement for expenses incurred in performing council  
5 functions.

6 Sec. 2306.1096. DUTIES; BIENNIAL REPORT. (a) The council  
7 shall:

8 (1) develop and implement policies to coordinate and  
9 increase state efforts to offer service-enriched housing;

10 (2) identify barriers preventing or slowing  
11 service-enriched housing efforts, including barriers attributable  
12 to the following factors:

13 (A) regulatory requirements and limitations;

14 (B) administrative limitations;

15 (C) limitations on funding; and

16 (D) ineffective or limited coordination;

17 (3) develop a system to cross-educate selected staff  
18 in state housing and health services agencies to increase the  
19 number of staff with expertise in both areas and to coordinate  
20 relevant staff activities of those agencies;

21 (4) identify opportunities for state housing and  
22 health services agencies to provide technical assistance and  
23 training to local housing and health services entities about:

24 (A) the cross-education of staff;

25 (B) coordination among those entities; and

26 (C) opportunities to increase local efforts to  
27 create service-enriched housing; and

1           (5) develop suggested performance measures to track  
2 progress in:

3           (A) the reduction or elimination of barriers in  
4 creating service-enriched housing;

5           (B) increasing the coordination between state  
6 housing and health services agencies;

7           (C) increasing the number of state housing and  
8 health services staff who are cross-educated or who have expertise  
9 in both housing and health services programs; and

10           (D) the provision of technical assistance to  
11 local communities by state housing and health services staff to  
12 increase the number of service-enriched housing projects.

13           (b) The council shall develop a biennial plan to implement  
14 the goals described by Subsection (a).

15           (c) Not later than August 1 of each even-numbered year, the  
16 council shall deliver a report of the council's findings and  
17 recommendations to the governor and the Legislative Budget Board.

18           Sec. 2306.1097. GIFTS AND GRANTS. The council may solicit  
19 and accept gifts, grants, and donations for the purposes of this  
20 subchapter.

21           Sec. 2306.1098. DUTIES OF EMPLOYEES PROVIDING ADVISORY  
22 SUPPORT TO COUNCIL. Department employees assigned to provide  
23 advisory support to the council shall:

24           (1) identify sources of funding from this state and  
25 the federal government that may be used to provide integrated  
26 housing and health services;

27           (2) determine the requirements and application

- 1 guidelines to obtain those funds;
- 2 (3) provide training materials that assist the  
3 development and financing of a service-enriched housing project;
- 4 (4) provide information regarding:
- 5 (A) effective methods to collaborate with  
6 governmental entities, service providers, and financial  
7 institutions; and
- 8 (B) the use of layered financing to provide and  
9 finance service-enriched housing;
- 10 (5) create a financial feasibility model that assists  
11 in making a preliminary determination of the financial viability of  
12 proposed service-enriched housing projects, including models that  
13 allow a person to analyze multiuse projects that facilitate the  
14 development of projects that will:
- 15 (A) address the needs of communities with  
16 different populations; and
- 17 (B) achieve economies of scale required to make  
18 the projects financially viable;
- 19 (6) facilitate communication between state agencies,  
20 sources of funding, service providers, and other entities to reduce  
21 or eliminate barriers to service-enriched housing projects;
- 22 (7) provide training about local, state, and federal  
23 funding sources and the requirements for those sources;
- 24 (8) develop a database to identify, describe, monitor,  
25 and track the progress of all service-enriched housing projects  
26 developed in this state with state or federal financial assistance;
- 27 (9) conduct a biennial evaluation and include in the

1 council's report to the governor and the Legislative Budget Board  
2 under Section 2306.1096 information regarding:

3 (A) the capacity of statewide long-term care  
4 providers; and

5 (B) interest by housing developers in investing  
6 in service-enriched housing;

7 (10) to increase the consistency in housing  
8 regulations, recommend changes to home and community-based  
9 Medicaid waivers that are up for renewal;

10 (11) research best practices with respect to  
11 service-enriched housing projects subsidized by other states; and

12 (12) create and maintain a clearinghouse of  
13 information that contains tools and resources for entities seeking  
14 to create or finance service-enriched housing projects.

15 SECTION 2. (a) As soon as possible after the effective  
16 date of this Act, the governor and the heads of the applicable state  
17 agencies shall appoint members to the housing and health services  
18 coordination council in accordance with Subchapter NN, Chapter  
19 2306, Government Code, as added by this Act.

20 (b) In making initial appointments to the housing and health  
21 services coordination council, the governor shall appoint two  
22 members to serve a term expiring September 1, 2011, three members to  
23 serve a term expiring September 1, 2013, and three members to serve  
24 a term expiring September 1, 2015.

25 SECTION 3. Not later than September 1, 2010, the housing and  
26 health services coordination council shall submit the first report  
27 of the council's findings and recommendations as required by

1 Subchapter NN, Chapter 2306, Government Code, as added by this Act.

2 SECTION 4. This Act does not make an appropriation. A  
3 provision in this Act that creates a new governmental program,  
4 creates a new entitlement, or imposes a new duty on a governmental  
5 entity is not mandatory during a fiscal period for which the  
6 legislature has not made a specific appropriation to implement the  
7 provision.

8 SECTION 5. This Act takes effect September 1, 2009.