

1-1 By: Nelson S.B. No. 1878  
1-2 (In the Senate - Filed March 11, 2009; March 24, 2009, read  
1-3 first time and referred to Committee on Health and Human Services;  
1-4 April 17, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 17, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1878 By: Nelson

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the creation and operation of a council to increase  
1-11 state efforts to offer service-enriched housing through increased  
1-12 coordination of housing and health services.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Chapter 2306, Government Code, is amended by  
1-15 adding Subchapter NN to read as follows:

1-16 SUBCHAPTER NN. HOUSING AND HEALTH SERVICES COORDINATION COUNCIL

1-17 Sec. 2306.1091. DEFINITIONS. (a) In this subchapter,  
1-18 "council" means the housing and health services coordination  
1-19 council.

1-20 (b) With the advice and assistance of the council, the  
1-21 department by rule shall define "service-enriched housing" for the  
1-22 purposes of this subchapter.

1-23 Sec. 2306.1092. COMPOSITION. (a) The department shall  
1-24 establish a housing and health services coordination council.

1-25 (b) The council is composed of 16 members consisting of:

1-26 (1) the director;

1-27 (2) one representative from each of the following  
1-28 agencies, appointed by the head of that agency:

1-29 (A) the Office of Rural Community Affairs;

1-30 (B) the Texas State Affordable Housing  
1-31 Corporation;

1-32 (C) the Health and Human Services Commission;

1-33 (D) the Department of Assistive and  
1-34 Rehabilitative Services;

1-35 (E) the Department of Aging and Disability  
1-36 Services; and

1-37 (F) the Department of State Health Services;

1-38 (3) one representative from the Department of  
1-39 Agriculture who is:

1-40 (A) knowledgeable about the Texans Feeding  
1-41 Texans and Retire in Texas programs or similar programs; and

1-42 (B) appointed by the head of that agency;

1-43 (4) one member who is:

1-44 (A) a member of an advisory committee to the  
1-45 Department of Aging and Disability Services that promotes  
1-46 independence for older adults and persons with disabilities; and

1-47 (B) appointed by the governor; and

1-48 (5) one representative from each of the following  
1-49 interest groups, appointed by the governor:

1-50 (A) financial institutions;

1-51 (B) multifamily housing developers;

1-52 (C) health services entities;

1-53 (D) nonprofit organizations;

1-54 (E) consumers of service-enriched housing;

1-55 (F) advocates for minority issues; and

1-56 (G) rural communities.

1-57 (c) A member of the council appointed under Subsection  
1-58 (b)(2) must have, subject to the approval of the head of the agency,  
1-59 authority to make decisions for and commit resources of the agency  
1-60 that the member represents and must have:

1-61 (1) administrative responsibility for agency programs  
1-62 for older adults or persons with disabilities;

1-63 (2) knowledge or experience regarding the

2-1 implementation of projects that integrate housing and health  
 2-2 services; or  
 2-3 (3) knowledge or experience regarding services used by  
 2-4 older adults or persons with disabilities.  
 2-5 (d) The director serves as the presiding officer of the  
 2-6 council.  
 2-7 Sec. 2306.1093. TERMS. (a) A member of the council who  
 2-8 represents a state agency serves at the pleasure of the head of that  
 2-9 agency.  
 2-10 (b) Members of the council who are appointed by the governor  
 2-11 serve staggered six-year terms, with the terms of two or three  
 2-12 members expiring on September 1 of each odd-numbered year.  
 2-13 Sec. 2306.1094. OPERATION OF COUNCIL. (a) The council  
 2-14 shall meet at least quarterly.  
 2-15 (b) The department shall provide clerical and advisory  
 2-16 support staff to the council.  
 2-17 (c) Except as provided by Section 2306.1095, Chapter 2110  
 2-18 does not apply to the size, composition, or duration of the council.  
 2-19 Sec. 2306.1095. COMPENSATION AND REIMBURSEMENT. (a) A  
 2-20 member of the council who is appointed by the governor may not  
 2-21 receive compensation for service on the council. The member may  
 2-22 receive reimbursement from the department for actual and necessary  
 2-23 expenses incurred in performing council functions as provided by  
 2-24 Section 2110.004.  
 2-25 (b) A member of the council who is not appointed by the  
 2-26 governor may not receive compensation for service on the council or  
 2-27 reimbursement for expenses incurred in performing council  
 2-28 functions.  
 2-29 Sec. 2306.1096. DUTIES; BIENNIAL REPORT. (a) The council  
 2-30 shall:  
 2-31 (1) develop and implement policies to coordinate and  
 2-32 increase state efforts to offer service-enriched housing;  
 2-33 (2) identify barriers preventing or slowing  
 2-34 service-enriched housing efforts, including barriers attributable  
 2-35 to the following factors:  
 2-36 (A) regulatory requirements and limitations;  
 2-37 (B) administrative limitations;  
 2-38 (C) limitations on funding; and  
 2-39 (D) ineffective or limited coordination;  
 2-40 (3) develop a system to cross-educate selected staff  
 2-41 in state housing and health services agencies to increase the  
 2-42 number of staff with expertise in both areas and to coordinate  
 2-43 relevant staff activities of those agencies;  
 2-44 (4) identify opportunities for state housing and  
 2-45 health services agencies to provide technical assistance and  
 2-46 training to local housing and health services entities about:  
 2-47 (A) the cross-education of staff;  
 2-48 (B) coordination among those entities; and  
 2-49 (C) opportunities to increase local efforts to  
 2-50 create service-enriched housing; and  
 2-51 (5) develop suggested performance measures to track  
 2-52 progress in:  
 2-53 (A) the reduction or elimination of barriers in  
 2-54 creating service-enriched housing;  
 2-55 (B) increasing the coordination between state  
 2-56 housing and health services agencies;  
 2-57 (C) increasing the number of state housing and  
 2-58 health services staff who are cross-educated or who have expertise  
 2-59 in both housing and health services programs; and  
 2-60 (D) the provision of technical assistance to  
 2-61 local communities by state housing and health services staff to  
 2-62 increase the number of service-enriched housing projects.  
 2-63 (b) The council shall develop a biennial plan to implement  
 2-64 the goals described by Subsection (a).  
 2-65 (c) Not later than August 1 of each even-numbered year, the  
 2-66 council shall deliver a report of the council's findings and  
 2-67 recommendations to the governor and the Legislative Budget Board.  
 2-68 Sec. 2306.1097. GIFTS AND GRANTS. The council may solicit  
 2-69 and accept gifts, grants, and donations for the purposes of this

3-1 subchapter.  
3-2 Sec. 2306.1098. DUTIES OF EMPLOYEES PROVIDING ADVISORY  
3-3 SUPPORT TO COUNCIL. Department employees assigned to provide  
3-4 advisory support to the council shall:  
3-5 (1) identify sources of funding from this state and  
3-6 the federal government that may be used to provide integrated  
3-7 housing and health services;  
3-8 (2) determine the requirements and application  
3-9 guidelines to obtain those funds;  
3-10 (3) provide training materials that assist the  
3-11 development and financing of a service-enriched housing project;  
3-12 (4) provide information regarding:  
3-13 (A) effective methods to collaborate with  
3-14 governmental entities, service providers, and financial  
3-15 institutions; and  
3-16 (B) the use of layered financing to provide and  
3-17 finance service-enriched housing;  
3-18 (5) create a financial feasibility model that assists  
3-19 in making a preliminary determination of the financial viability of  
3-20 proposed service-enriched housing projects, including models that  
3-21 allow a person to analyze multiuse projects that facilitate the  
3-22 development of projects that will:  
3-23 (A) address the needs of communities with  
3-24 different populations; and  
3-25 (B) achieve economies of scale required to make  
3-26 the projects financially viable;  
3-27 (6) facilitate communication between state agencies,  
3-28 sources of funding, service providers, and other entities to reduce  
3-29 or eliminate barriers to service-enriched housing projects;  
3-30 (7) provide training about local, state, and federal  
3-31 funding sources and the requirements for those sources;  
3-32 (8) develop a database to identify, describe, monitor,  
3-33 and track the progress of all service-enriched housing projects  
3-34 developed in this state with state or federal financial assistance;  
3-35 (9) conduct a biennial evaluation and include in the  
3-36 council's report to the governor and the Legislative Budget Board  
3-37 under Section 2306.1096 information regarding:  
3-38 (A) the capacity of statewide long-term care  
3-39 providers; and  
3-40 (B) interest by housing developers in investing  
3-41 in service-enriched housing;  
3-42 (10) to increase the consistency in housing  
3-43 regulations, recommend changes to home and community-based  
3-44 Medicaid waivers that are up for renewal;  
3-45 (11) research best practices with respect to  
3-46 service-enriched housing projects subsidized by other states; and  
3-47 (12) create and maintain a clearinghouse of  
3-48 information that contains tools and resources for entities seeking  
3-49 to create or finance service-enriched housing projects.  
3-50 SECTION 2. (a) As soon as possible after the effective  
3-51 date of this Act, the governor and the heads of the applicable state  
3-52 agencies shall appoint members to the housing and health services  
3-53 coordination council in accordance with Subchapter NN, Chapter  
3-54 2306, Government Code, as added by this Act.  
3-55 (b) In making initial appointments to the housing and health  
3-56 services coordination council, the governor shall appoint two  
3-57 members to serve a term expiring September 1, 2011, three members to  
3-58 serve a term expiring September 1, 2013, and three members to serve  
3-59 a term expiring September 1, 2015.  
3-60 SECTION 3. Not later than September 1, 2010, the housing and  
3-61 health services coordination council shall submit the first report  
3-62 of the council's findings and recommendations as required by  
3-63 Subchapter NN, Chapter 2306, Government Code, as added by this Act.  
3-64 SECTION 4. This Act does not make an appropriation. A  
3-65 provision in this Act that creates a new governmental program,  
3-66 creates a new entitlement, or imposes a new duty on a governmental  
3-67 entity is not mandatory during a fiscal period for which the  
3-68 legislature has not made a specific appropriation to implement the  
3-69 provision.

4-1 SECTION 5. This Act takes effect September 1, 2009.

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