

By: Zaffirini  
(Naishtat)

S.B. No. 45

A BILL TO BE ENTITLED

AN ACT

relating to the provision of employment assistance and supported  
employment to certain Medicaid waiver program participants.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code,  
is amended by adding Section 32.075 to read as follows:

Sec. 32.075. EMPLOYMENT ASSISTANCE AND SUPPORTED  
EMPLOYMENT. (a) In this section:

(1) "Employment assistance" means assistance provided  
to an individual to help the individual locate paid employment in  
the community. Employment assistance includes:

(A) identifying an individual's employment  
preferences, job skills, and requirements for a work setting and  
work conditions;

(B) locating prospective employers offering  
employment compatible with an individual's identified preferences,  
skills, and requirements; and

(C) contacting a prospective employer on behalf  
of an individual and negotiating the individual's employment.

(2) "Supported employment" means assistance provided,  
in order to sustain paid employment, to an individual who, because  
of a disability, requires intensive, ongoing support to be  
self-employed, work from home, or perform in a work setting at which  
individuals without disabilities are employed. Supported

1 employment includes adaptations, supervision, and training related  
2 to an individual's diagnosis.

3 (b) This section applies only to the following medical  
4 assistance waiver programs:

5 (1) the community based alternatives program;

6 (2) the community living assistance and support  
7 services program;

8 (3) the deaf-blind with multiple disabilities  
9 program;

10 (4) the home and community-based services program;

11 (5) the medically dependent children program;

12 (6) the STAR + PLUS Medicaid managed care program;

13 (7) the Texas home living program; and

14 (8) the youth empowerment services program.

15 (c) The department shall provide employment assistance and  
16 supported employment to participants in the waiver programs  
17 identified in Subsection (b).

18 SECTION 2. As soon as possible after the effective date of  
19 this Act, the Health and Human Services Commission shall apply for  
20 any waiver or other authorization necessary to implement this Act.  
21 The commission may delay implementing this Act until the waiver or  
22 authorization is granted.

23 SECTION 3. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2013.