

By: Zaffirini

S.B. No. 45

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the provision of employment assistance and supported  
3 employment to certain Medicaid waiver program participants.

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

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

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

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

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

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

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

20 (2) "Supported employment" means employment in which  
21 assistance is provided, in order to sustain paid employment, to an  
22 individual who, because of a disability, requires intensive,  
23 ongoing support to perform in a work setting. Supported employment  
24 is provided at a work site at which individuals without

1 disabilities are employed and includes adaptations, supervision,  
2 and training related 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; and

13 (7) the Texas home living program.

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

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

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