

AN ACT

relating to peer specialists, peer services, and the provision of those services under the medical assistance program.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0999 to read as follows:

Sec. 531.0999. PEER SPECIALISTS. (a) With input from mental health and substance use peer specialists and the work group described by Subsection (b), the commission shall develop and the executive commissioner shall adopt:

(1) rules that establish training requirements for peer specialists so that they are able to provide services to persons with mental illness or services to persons with substance use conditions;

(2) rules that establish certification and supervision requirements for peer specialists;

(3) rules that define the scope of services that peer specialists may provide;

(4) rules that distinguish peer services from other services that a person must hold a license to provide; and

(5) any other rules necessary to protect the health and safety of persons receiving peer services.

(b) The commission shall establish a stakeholder work group to provide input for the adoption of rules under Subsection (a).

1 The work group is composed of the following stakeholders appointed
2 by the executive commissioner:

3 (1) one representative of each organization that
4 certifies mental health and substance use peer specialists in this
5 state;

6 (2) three representatives of organizations that
7 employ mental health and substance use peer specialists;

8 (3) one mental health peer specialist who works in an
9 urban area;

10 (4) one mental health peer specialist who works in a
11 rural area;

12 (5) one substance use peer specialist who works in an
13 urban area;

14 (6) one substance use peer specialist who works in a
15 rural area;

16 (7) one person who trains mental health peer
17 specialists;

18 (8) one person who trains substance use peer
19 specialists;

20 (9) three representatives of mental health and
21 addiction licensed health care professional groups who supervise
22 mental health and substance use peer specialists;

23 (10) to the extent possible, not more than three
24 persons with personal experience recovering from mental illness,
25 substance use conditions, or co-occurring mental illness and
26 substance use conditions; and

27 (11) any other persons considered appropriate by the

1 executive commissioner.

2 (c) The executive commissioner shall appoint one member of
3 the work group to serve as presiding officer.

4 (d) The work group shall meet once every month.

5 (e) The work group is automatically abolished on the
6 adoption of rules under Subsection (a).

7 (f) The executive commissioner may not adopt rules under
8 Subsection (a) that preclude the provision of mental health
9 rehabilitative services under 25 T.A.C. Chapter 416, Subchapter A,
10 as that subchapter existed on January 1, 2017.

11 (g) If the executive commissioner has not adopted rules by
12 September 1, 2018, the executive commissioner shall submit on that
13 date a written report to the governor, the lieutenant governor, the
14 speaker of the house of representatives, the chair of the Senate
15 Health and Human Services Committee, and the chair of the House
16 Public Health Committee explaining why the rules have not yet been
17 adopted. This subsection expires September 1, 2019.

18 SECTION 2. Section 32.024, Human Resources Code, is amended
19 by adding Subsection (kk) to read as follows:

20 (kk) The commission in its rules and standards governing the
21 scope of services provided under the medical assistance program
22 shall include peer services provided by certified peer specialists
23 to the extent permitted by federal law.

24 SECTION 3. As soon as practicable after the effective date
25 of this Act, the executive commissioner of the Health and Human
26 Services Commission shall:

27 (1) adopt the rules required by Section 531.0999(a),

1 Government Code, as added by this Act; and

2 (2) appoint the members of the stakeholder work group
3 established by Section 531.0999(b), Government Code, as added by
4 this Act.

5 SECTION 4. If before implementing any provision of this Act
6 a state agency determines that a waiver or authorization from a
7 federal agency is necessary for implementation of that provision,
8 the agency affected by the provision shall request the waiver or
9 authorization and may delay implementing that provision until the
10 waiver or authorization is granted.

11 SECTION 5. (a) Except as provided by Subsection (b) of this
12 section, this Act takes effect immediately if it receives a vote of
13 two-thirds of all the members elected to each house, as provided by
14 Section 39, Article III, Texas Constitution. If this Act does not
15 receive the vote necessary for immediate effect, this Act takes
16 effect September 1, 2017.

17 (b) This Act takes effect only if the 85th Legislature
18 appropriates money specifically for the purpose of implementing
19 this Act. If the legislature does not appropriate money
20 specifically for that purpose, this Act does not take effect.

President of the Senate

Speaker of the House

I certify that H.B. No. 1486 was passed by the House on April 20, 2017, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1486 on May 24, 2017, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1486 was passed by the Senate, with amendments, on May 22, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor