

By: Schaefer

H.B. No. 3279

A BILL TO BE ENTITLED

AN ACT

relating to eligibility requirements for the specialized telecommunications assistance program.

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

SECTION 1. Section 56.151(a), Utilities Code, is amended to read as follows:

(a) The executive commissioner, after consulting with the department, by rule shall establish a specialized telecommunications assistance program to provide financial assistance to individuals diagnosed by a medical professional as a deaf individual, an individual who has an impairment of hearing, or an individual who has an impairment of speech [~~with disabilities that impair the individuals' ability to effectively access the telephone network~~] to assist the individuals with the purchase of basic specialized equipment or services to provide the individuals with telephone network access that is functionally equivalent to that enjoyed by individuals without disabilities of hearing or speech. The executive commissioner may adopt rules that identify devices and services eligible for vouchers under the program.

SECTION 2. Section 56.152, Utilities Code, is amended to read as follows:

Sec. 56.152. ELIGIBILITY. The executive commissioner, after consulting with the department, by rule shall prescribe eligibility standards for individuals, including deaf individuals

1 and individuals who have an impairment of hearing or speech, to
2 receive an assistance voucher under the program. To be eligible, an
3 individual must:

4 (1) be a resident of this state;

5 (2) be diagnosed by a medical professional as a deaf
6 individual, an individual who has an impairment of hearing, or an
7 individual who has an impairment of speech; and

8 (3) have an income at or below 150 percent of the
9 federal poverty guidelines [~~with a disability that impairs the~~
10 ~~individual's ability to effectively access the telephone network~~].

11 SECTION 3. Sections 56.153(d) and (e), Utilities Code, are
12 amended to read as follows:

13 (d) An individual who has exchanged a voucher for a
14 specialized telecommunications device is not eligible to receive
15 another voucher before the fifth anniversary of the date the
16 individual exchanged the previously issued voucher unless, before
17 that date, the recipient develops a need for a different type of
18 telecommunications device or service under the program because the
19 recipient's diagnosis has changed to the extent that the device is
20 no longer adequate to meet the individual's network access needs
21 [~~disability changes or the recipient acquires another disability~~].

22 (e) Except as provided by rules adopted under this
23 subsection, an individual is not eligible for a voucher if the
24 department has issued a voucher for a device or service to another
25 individual with the same diagnosis [~~type of disability~~] in the
26 individual's household. The executive commissioner, after
27 consulting with the department, by rule may provide for financially

1 independent individuals who reside in a congregate setting to be
2 eligible for a voucher regardless of whether another individual
3 living in that setting has received a voucher.

4 SECTION 4. This Act takes effect September 1, 2017.