| **House Bill 1486**  Senate Amendments  Section-by-Section Analysis | | |
| --- | --- | --- |
| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| 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). The work group is composed of the following stakeholders appointed by the executive commissioner:  (1) one representative of each organization that certifies mental health and substance use peer specialists in this state;  (2) three representatives of organizations that employ mental health and substance use peer specialists;  (3) one mental health peer specialist who works in an urban area;  (4) one mental health peer specialist who works in a rural area;  (5) one substance use peer specialist who works in an urban area;  (6) one substance use peer specialist who works in a rural area;  (7) one person who trains mental health peer specialists;  (8) one person who trains substance use peer specialists;  (9) three representatives of mental health and addiction licensed health care professional groups who supervise mental health and substance use peer specialists;  (10) to the extent possible, not more than three persons with personal experience recovering from mental illness, substance use conditions, or co-occurring mental illness and substance use conditions; and  (11) any other persons considered appropriate by the executive commissioner.  (c) The executive commissioner shall appoint one member of the work group to serve as presiding officer.  (d) The work group shall meet once every month.  (e) The work group is automatically abolished on the adoption of rules under Subsection (a).  (f) The executive commissioner may not adopt rules under Subsection (a) that preclude the provision of mental health rehabilitative services under Subchapter A, Chapter 416, Title 25, Texas Administrative Code, as that subchapter existed on January 1, 2017.  (g) If the executive commissioner has not adopted rules by September 1, 2018, the executive commissioner shall submit on that date a written report to the governor, the lieutenant governor, the speaker of the house of representatives, the chair of the Senate Health and Human Services Committee, and the chair of the House Public Health Committee explaining why the rules have not yet been adopted. This subsection expires September 1, 2019. | SECTION 1. Substantially the same as House version. |  |
| SECTION 2. Section 32.024, Human Resources Code, is amended by adding Subsection (kk) to read as follows:  (kk) The commission in its rules and standards governing the scope of services provided under the medical assistance program shall include peer services provided by certified peer specialists to the extent permitted by federal law. | SECTION 2. Same as House version. |  |
| SECTION 3. As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall:  (1) adopt the rules required by Section 531.0999(a), Government Code, as added by this Act; and  (2) appoint the members of the stakeholder work group established by Section 531.0999(b), Government Code, as added by this Act. | SECTION 3. Same as House version. |  |
| SECTION 4. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted. | SECTION 4. Same as House version. |  |
| SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017. | SECTION 5. (a) Except as provided by Subsection (b) of this section, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.  (b) This Act takes effect only if the 85th Legislature appropriates money specifically for the purpose of implementing this Act. If the legislature does not appropriate money specifically for that purpose, this Act does not take effect. |  |