

## **BILL ANALYSIS**

S.B. 1818  
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International Relations & Economic Development  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been noted that Texas has an employment-first policy which states that earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits. Despite this, reports indicate that a large majority of disabled adults in Texas are unemployed. Moreover, a recent survey of individuals receiving services through a Medicaid waiver program found that only a fraction of these individuals are using the employment services available to them and receiving the support they need to make progress on their employment goals. S.B. 1818 seeks to ensure that individuals with disabilities enrolled in these Medicaid waiver programs are better able to find competitive, integrated employment in compliance with the state's employment-first policy and certain federal rules.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of Health and Human Services in SECTION 1 of this bill.

### **ANALYSIS**

S.B. 1818 amends the Government Code to require the executive commissioner of the Health and Human Services Commission (HHSC) to develop by rule a uniform process that complies with the state's employment-first policy to:

- assess the goals of and competitive and integrated employment opportunities and related employment services available to an individual receiving services under any of the Section 1915(c) Medicaid waiver programs specified by the bill; and
- use the identified goals and available opportunities and services to direct the individual's plan of care at the time the plan is developed or renewed.

S.B. 1818 requires the entity responsible for the development and renewal of such an individual's plan of care to use the uniform process developed by the executive commissioner to assess the individual's goals and applicable opportunities and services and to incorporate those goals, opportunities, and services into the plan of care. The bill requires the executive commissioner by rule to do the following:

- establish performance measures for the employment of applicable individuals who are seeking competitive and integrated employment;
- identify strategies to increase the number of individuals who are receiving employment

services from the Texas Workforce Commission (TWC) or through the Medicaid waiver program in which an individual is enrolled;

- determine a reasonable number of individuals who indicate a desire to work to receive employment services and ensure those individuals:
  - have received employment services from the TWC or through the applicable waiver program during the 2020-2021 state fiscal biennium or during the period beginning September 1, 2021, and ending December 31, 2021; or
  - are receiving such employment services on December 31, 2021; and
- ensure each individual who indicates a desire to work is referred to receive employment services from the TWC or through the applicable waiver program.

S.B. 1818 requires the executive commissioner to prepare and submit a written report to the governor, lieutenant governor, speaker of the house of representatives, and legislature outlining the following:

- the number of applicable individuals who are receiving employment services in accordance with the rules adopted under the bill's provisions;
- whether such employment services are provided by the TWC, through the Medicaid waiver program in which an individual is enrolled, or both; and
- the number of applicable individuals who have obtained competitive and integrated employment, categorized by waiver program and, if applicable, an individual's level of care.

The bill requires the report to be prepared and submitted not later than December 31 of each even-numbered year with the first report to be submitted not later than December 31, 2022.

S.B. 1818 establishes that HHSC is required to implement a provision of the bill only if the legislature appropriates money to HHSC specifically for that purpose. If the legislature does not make such a specific appropriation, HHSC may, but is not required to, implement a provision of the bill using other appropriations that are available for that purpose.

**EFFECTIVE DATE**

September 1, 2019.