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By:  Watson S.B. No. 704

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain support services to persons who are deaf-blind.

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

SECTION 1.  Section 81.001, Human Resources Code, is amended by adding Subdivision (1) to read as follows:

(1)  "Commission" means the Health and Human Services Commission.

SECTION 2.  Chapter 81, Human Resources Code, is amended by adding Section 81.014 to read as follows:

Sec. 81.014.  SUPPORT SERVICES PROGRAM FOR PERSONS WHO ARE DEAF-BLIND. (a) In this section:

(1)  "Communication mode" includes communication through:

(A)  auditory amplification, such as through a personal hearing aid or assistive listening device;

(B)  American Sign Language or Signed English; and

(C)  tactile American Sign Language.

(2)  "Deaf-blind support services" means services provided to a person who is deaf-blind that assist the person with accessing the person's environment and allow the person to make informed decisions. The term includes providing visual and environmental information or sighted guide services and assisting with communication accessibility by communicating in the preferred language and communication mode of the person who is deaf-blind. The term does not include performing any of the following for the person:

(A)  providing personal care services to the person;

(B)  completing ordinary errands for the person;

(C)  making decisions for the person;

(D)  teaching or otherwise instructing the person; or

(E)  interpreting for the person in a formal setting, including a medical, legal, or business setting.

(3)  "Program" means the deaf-blind support services program.

(4)  "Provider of deaf-blind support services" means a person who is specially trained to provide deaf-blind support services.

(b)  The commission shall operate a statewide deaf-blind support services program through which:

(1)  deaf-blind support services are provided by providers of deaf-blind support services; and

(2)  the commission reimburses the providers for the provision of the services.

(c)  The executive commissioner by rule shall establish reimbursement rates to be paid to a provider of deaf-blind support services under the program. The reimbursement rates must use a tiered wage scale that is based on the provider's:

(1)  level of training in communication modes for persons who are deaf-blind and in sighted guide-mobility techniques; and

(2)  fluency in communication modes for persons who are deaf-blind.

(d)  The commission shall ensure that quality deaf-blind support services are provided under the program by:

(1)  monitoring the compliance of providers of deaf-blind support services with program rules;

(2)  developing funding sources for the program that are in addition to state sources and will reduce reliance on the state sources for continuation of the program; and

(3)  providing funding and technical assistance for training programs for:

(A)  providers of deaf-blind support services under the program; and

(B)  persons who are deaf-blind to enable those persons to effectively use the services offered under the program.

(e)  The executive commissioner may establish an advisory committee to advise the commission in developing and operating the program, including operating the program in a manner that ensures the efficient use of state money. Subject to Section 2110.002, Government Code, the executive commissioner shall determine the number of members serving on the advisory committee, which must include persons who are deaf-blind and other stakeholders.

(f)  The executive commissioner may adopt rules necessary to:

(1)  operate the program in a manner that is efficient and maximizes the number of persons served; and

(2)  ensure that providers of deaf-blind support services receiving reimbursement under the program have adequate training to provide those services.

SECTION 3.  Not later than September 1, 2020:

(1)  the executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Section 81.014, Human Resources Code, as added by this Act; and

(2)  the commission shall begin operating the program required by that section.

SECTION 4.  This Act takes effect September 1, 2019.