

By: Bernal, Ortega

H.B. No. 706

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the eligibility of certain children who are deaf or hard  
3 of hearing for audiology services under the school health and  
4 related services program.

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

6 SECTION 1. Subchapter A, Chapter 38, Education Code, is  
7 amended by adding Section 38.033 to read as follows:

8 Sec. 38.033. SCHOOL HEALTH AND RELATED SERVICES PROGRAM;  
9 ELIGIBILITY FOR AUDIOLOGY SERVICES. (a) A child is eligible to  
10 receive audiology services provided under the school health and  
11 related services program if the child:

12 (1) is 20 years of age or younger;

13 (2) has a disability or chronic medical condition;

14 (3) is eligible for Medicaid benefits; and

15 (4) has been prescribed the services under:

16 (A) an individualized education program created  
17 under the Individuals with Disabilities Education Act (20 U.S.C.  
18 Section 1400 et seq.); or

19 (B) a plan created under Section 504,  
20 Rehabilitation Act of 1973 (29 U.S.C. Section 794).

21 (b) The Health and Human Services Commission shall provide  
22 reimbursement to a provider under the school health and related  
23 services program for audiology services provided to a child who is  
24 eligible for the services under Subsection (a).

1        (c) The executive commissioner of the Health and Human  
2 Services Commission, in consultation with the agency, shall adopt  
3 rules necessary to implement this section.

4        SECTION 2. If before implementing any provision of this Act  
5 a state agency determines that a waiver or authorization from a  
6 federal agency is necessary for implementation of that provision,  
7 the agency affected by the provision shall request the waiver or  
8 authorization and may delay implementing that provision until the  
9 waiver or authorization is granted.

10       SECTION 3. This Act takes effect September 1, 2019.