

By: González of El Paso, Frank, Klick,  
Swanson

H.B. No. 1585

Substitute the following for H.B. No. 1585:

By: Hinojosa

C.S.H.B. No. 1585

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a study on interest or other waiting lists maintained  
3 for certain Medicaid programs providing services to persons with an  
4 intellectual or developmental disability.

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

6 SECTION 1. (a) The Health and Human Services Commission,  
7 in consultation and collaboration with the Intellectual and  
8 Developmental Disability System Redesign Advisory Committee  
9 established under Section 534.053, Government Code, shall conduct a  
10 study examining the interest or other waiting lists maintained for  
11 the following Medicaid programs authorized under Section 1115 or  
12 1915(c) of the federal Social Security Act (42 U.S.C. Section 1315  
13 or 1396n(c)) that provide services to persons with an intellectual  
14 or developmental disability:

15 (1) the community living assistance and support  
16 services (CLASS) waiver program;

17 (2) the home and community-based services (HCS) waiver  
18 program;

19 (3) the deaf-blind with multiple disabilities (DBMD)  
20 waiver program;

21 (4) the Texas home living (TxHmL) waiver program;

22 (5) the medically dependent children (MDCP) waiver  
23 program; and

24 (6) the STAR+PLUS home and community-based services

1 (HCBS) program.

2 (b) In conducting the study under this section, the Health  
3 and Human Services Commission shall, for each Medicaid program  
4 described by Subsection (a) of this section:

5 (1) consider and analyze:

6 (A) the experiences of other states in reducing  
7 or eliminating interest or other waiting lists, including through  
8 the range of services available to persons with an intellectual or  
9 developmental disability in each state;

10 (B) factors affecting the historical experience  
11 of each Medicaid program and the program's interest or waiting list  
12 during the five most recent state fiscal biennia, including:

13 (i) the amount of appropriated money  
14 allocated to each program during each state fiscal year; and

15 (ii) significant policy changes impacting  
16 each program and the program's interest or other waiting list;

17 (C) existing data relating to persons on an  
18 interest or other waiting list, including demographic data and data  
19 relating to each person's living arrangement, service preferences,  
20 length of time on the list, and unmet support needs; and

21 (D) the urgency of the need for services of  
22 persons on an interest or other waiting list at any given time,  
23 including the extent to which the list is comprised of persons who:

24 (i) join the list before becoming eligible  
25 for services under the associated Medicaid program; or

26 (ii) were eligible for services under the  
27 associated Medicaid program at the time of joining the list but who

1 are no longer eligible for services under the program; and

2 (2) identify:

3 (A) additional strategies that the commission  
4 could employ to eliminate the interest or other waiting lists in a  
5 manner that results in the provision of person-centered services in  
6 the most integrated setting, including strategies employed by other  
7 states and strategies through which this state could receive  
8 additional federal funding, and the estimated costs of implementing  
9 those strategies; and

10 (B) a date by which the commission believes it  
11 could eliminate the interest or other waiting lists if the  
12 identified strategies were implemented.

13 (c) Not later than September 1, 2020, the Health and Human  
14 Services Commission shall submit to the legislature a written  
15 report containing the findings of the study conducted under this  
16 Act and the commission's recommendations for:

17 (1) improving service delivery and reducing interest  
18 and other waiting lists for Medicaid programs described under  
19 Subsection (a) of this section, including recommendations for  
20 potential legislation; and

21 (2) a methodology the commission should implement that  
22 would prioritize persons on a list who have more urgent needs for  
23 program services.

24 (d) Based on the Health and Human Services Commission's  
25 findings of the study conducted under this Act, the commission  
26 shall update its statewide strategic plan on the intellectual and  
27 developmental disabilities system in this state that was developed

1 in relation to the statewide behavioral health strategic plan  
2 required under Section 10.04 of the Article IX health-related  
3 provisions, Chapter 1281 (H.B. 1), Acts of the 84th Legislature,  
4 Regular Session, 2015 (the General Appropriations Act), including  
5 updating related short- and long-term goals, objectives, and  
6 strategies to address identified gaps in services for persons with  
7 an intellectual or developmental disability, timelines for  
8 implementation of the plan, and mechanisms for tracking plan  
9 outcomes.

10 SECTION 2. This Act expires September 1, 2023.

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