

By: Deshotel

H.B. No. 3916

A BILL TO BE ENTITLED

AN ACT

relating to a competitive and integrated employment initiative for certain Medicaid recipients.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.02448 to read as follows:

Sec. 531.02448. COMPETITIVE AND INTEGRATED EMPLOYMENT INITIATIVE FOR CERTAIN MEDICAID RECIPIENTS. (a) This section applies to an individual receiving services under the following waiver programs established under Section 1915(c), Social Security Act (42 U.S.C. Section 1396n(c)):

(1) the home and community-based services (HCS) waiver program;

(2) the Texas home living (TxHmL) waiver program;

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

(4) the community living assistance and support services (CLASS) waiver program; and

(5) the STAR+PLUS home and community-based services (HCBS) waiver program.

(b) The executive commissioner by rule shall develop a process that complies with the policy adopted under Section 531.02447 to:

(1) assess the goals of and competitive and integrated

1 employment opportunities and related employment services available
2 to an individual to whom this section applies; and

3 (2) use the identified goals and available
4 opportunities and services to direct the individual's plan of care
5 at the time the plan is developed or renewed.

6 (c) The entity responsible for the development and renewal
7 of the plan of care for an individual to whom this section applies
8 shall use the process the executive commissioner develops to assess
9 the individual's goals, opportunities, and services described by
10 Subsection (b) and incorporate those goals, opportunities, and
11 services into the plan of care.

12 (d) The executive commissioner by rule shall establish
13 performance measures for the employment of individuals to whom this
14 section applies and who are seeking competitive and integrated
15 employment. The rules must ensure that:

16 (1) at least 20 percent of those individuals are
17 receiving employment services by December 31, 2021; and

18 (2) each individual to whom this section applies and
19 who indicates a desire to work is referred to receive employment
20 services from the Texas Workforce Commission or through the waiver
21 program in which the individual is enrolled.

22 (e) Not later than December 31 of each even-numbered year,
23 the executive commissioner shall prepare and submit to the
24 governor, the lieutenant governor, the speaker of the house of
25 representatives, and the legislature a written report that
26 outlines:

27 (1) the number of individuals to whom this section

1 applies who are receiving employment services in accordance with
2 rules adopted under this section; and

3 (2) the number of individuals to whom this section
4 applies who have obtained competitive and integrated employment,
5 categorized by waiver program and, if applicable, the individual's
6 level of care.

7 SECTION 2. As soon as practicable after the effective date
8 of this Act, the executive commissioner of the Health and Human
9 Services Commission shall adopt rules as necessary to implement
10 Section 531.02448, Government Code, as added by this Act.

11 SECTION 3. Notwithstanding Section 531.02448(e),
12 Government Code, as added by this Act, the executive commissioner
13 of the Health and Human Services Commission shall submit the first
14 report required by that section not later than December 31, 2022.

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