

By: Bohac, González of El Paso, Miller

H.B. No. 3991

A BILL TO BE ENTITLED

AN ACT

relating to the deaf-blind with multiple disabilities waiver program.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.09731 to read as follows:

Sec. 531.09731. MINIMUM REIMBURSEMENT RATE FOR CERTAIN PROVIDERS UNDER DEAF-BLIND WITH MULTIPLE DISABILITIES WAIVER PROGRAM. The executive commissioner by rule shall establish minimum reimbursement rates for interveners and orientation and mobility specialists providing services under the deaf-blind with multiple disabilities waiver program. The rates established under this section must:

(1) take into account the provider's level of training, education, and experience; and

(2) be adjusted annually for inflation.

SECTION 2. Section 161.078, Human Resources Code, is amended by adding Subsection (c) to read as follows:

(c) The executive commissioner shall increase the number of persons receiving home-based and community-based services under the deaf-blind with multiple disabilities waiver program by:

(1) 100 for each of the state fiscal years ending August 31, 2020, and August 31, 2021; and

(2) for each subsequent state fiscal year beginning

1 with the state fiscal year ending August 31, 2022, 10 percent of the
2 number of recipients on the interest list for home-based and
3 community-based services under the deaf-blind with multiple
4 disabilities waiver program as determined on the first day of the
5 applicable state fiscal year and rounded to the nearest whole
6 number.

7 SECTION 3. 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 the rules required under Section
10 531.09731, Government Code, as added by this Act, and ensure that
11 the minimum reimbursement rates established for interveners and
12 orientation and mobility specialists under the deaf-blind with
13 multiple disabilities waiver program are based on the most recent
14 full rate analysis conducted by the commission.

15 SECTION 4. If before implementing any provision of this Act
16 a state agency determines that a waiver or authorization from a
17 federal agency is necessary for implementation of that provision,
18 the agency affected by the provision shall request the waiver or
19 authorization and may delay implementing that provision until the
20 waiver or authorization is granted.

21 SECTION 5. This Act takes effect September 1, 2019.