

By: Walle

H.B. No. 4598

A BILL TO BE ENTITLED

AN ACT

relating to reestablishing the in-home and family support program.

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

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

SUBCHAPTER T. IN-HOME AND FAMILY SUPPORT PROGRAM

Sec. 531.801. DEFINITIONS. In this subchapter:

(1) "Disability" means a physical impairment that:

(A) is likely to continue indefinitely;

(B) results in substantial functional limitations in one or more of the following areas of major life activity as determined under the disabilities screening instrument:

(i) self-care;

(ii) receptive and expressive language;

(iii) learning;

(iv) mobility;

(v) self-direction; or

(vi) capacity for independent living; and

(C) is likely to require treatment or services that are lifelong or of extended duration.

(2) "Program" means the in-home and family support program established under this subchapter.

Sec. 531.802. IN-HOME AND FAMILY SUPPORT PROGRAM. The

1 executive commissioner by rule shall establish the in-home and  
2 family support program to provide benefits to an individual with a  
3 disability that allows the individual or the legal guardian of the  
4 individual to purchase items that enable the individual to reside  
5 in a community-based setting. The program must be designed in  
6 substantially the same manner as the in-home and family support  
7 program formerly administered by the former Department of Aging and  
8 Disability Services under 40 T.A.C. Chapter 48, Subchapter F.

9       SECTION 2. If before implementing any provision of this Act  
10 a state agency determines that a waiver or authorization from a  
11 federal agency is necessary for implementation of that provision,  
12 the agency affected by the provision shall request the waiver or  
13 authorization and may delay implementing that provision until the  
14 waiver or authorization is granted.

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