87S10199 BDP-F

By:  González of El Paso H.B. No. 97

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain co-navigation services to persons who are deaf-blind.

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

SECTION 1.  Section 81.001, Human Resources Code, is amended by adding Subdivision (1) to read as follows:

(1)  "Commission" means the Health and Human Services Commission.

SECTION 2.  Chapter 81, Human Resources Code, is amended by adding Section 81.014 to read as follows:

Sec. 81.014.  CO-NAVIGATION SERVICES PROGRAM FOR PERSONS WHO ARE DEAF-BLIND. (a) In this section:

(1)  "Communication mode" includes communication through:

(A)  auditory amplification, such as through a personal hearing aid or assistive listening device;

(B)  American Sign Language or Signed English by both tactile and visual means; and

(C)  protactile language.

(2)  "Co-navigation services" means services provided to a person who is deaf-blind that assist the person to physically access the person's environment and to make informed decisions. The term includes providing visual and environmental information or sighted guide services and assisting with communication accessibility by communicating in the preferred language and communication mode of the person who is deaf-blind. The term does not include performing any of the following for the person:

(A)  providing personal care services to the person;

(B)  completing ordinary errands for the person;

(C)  making decisions for the person;

(D)  teaching or otherwise instructing the person; or

(E)  interpreting for the person in a formal setting, including a medical, legal, or business setting.

(3)  "Co-navigator" means a person who is specially trained to provide co-navigation services.

(4)  "Program" means the deaf-blind co-navigation services program.

(5)  "Protactile language" means a method of communication based on touch that is used by persons who are deaf-blind.

(b)  The commission shall operate a statewide co-navigation services program through which:

(1)  co-navigation services are provided by co-navigators; and

(2)  the commission reimburses the co-navigators for the provision of the services.

(c)  The executive commissioner by rule shall establish reimbursement rates to be paid to a co-navigator under the program. The reimbursement rates must use a tiered wage scale that is based on the co-navigator's:

(1)  level of training in communication modes for persons who are deaf-blind and in sighted guide-mobility techniques; and

(2)  fluency and skill in communication modes and sighted guide-mobility for persons who are deaf-blind.

(d)  The commission shall ensure that quality co-navigation services are provided under the program by:

(1)  monitoring the compliance of co-navigators with program rules;

(2)  developing funding sources for the program that are in addition to state sources and will reduce reliance on the state sources for continuation of the program; and

(3)  providing funding and technical assistance for training programs for:

(A)  co-navigators under the program; and

(B)  persons who are deaf-blind to enable those persons to effectively use the services offered under the program.

(e)  The executive commissioner may establish an advisory committee to advise the commission in developing and operating the program, including operating the program in a manner that ensures the efficient use of state money. Subject to Section 2110.002, Government Code, the executive commissioner shall determine the number of members serving on the advisory committee, which must include persons who are deaf-blind and other stakeholders.

(f)  The executive commissioner may adopt rules necessary to:

(1)  operate the program in a manner that is efficient and maximizes the number of persons served; and

(2)  ensure that co-navigators receiving reimbursement under the program have adequate training to provide co-navigation services.

SECTION 3.  Not later than September 1, 2022:

(1)  the executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Section 81.014, Human Resources Code, as added by this Act; and

(2)  the commission shall begin operating the program required by that section.

SECTION 4.  The Health and Human Services Commission is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission may, but is not required to, implement a provision of this Act using other appropriations that are available for that purpose.

SECTION 5.  This Act takes effect on the 91st day after the last day of the legislative session.