

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:

(1) any of the following waiver programs established under Section 1915(c), Social Security Act (42 U.S.C. Section 1396n(c)):

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

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

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

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

(2) the STAR+PLUS home and community-based services (HCBS) waiver program established under Section 1115, Social Security Act (42 U.S.C. Section 1315).

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

1 531.02447 to:

2 (1) assess the goals of and competitive and integrated
3 employment opportunities and related employment services available
4 to an individual to whom this section applies; and

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

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

14 (d) The executive commissioner by rule shall:

15 (1) identify strategies to increase the number of
16 individuals who are receiving employment services from the Texas
17 Workforce Commission or through the waiver program in which an
18 individual is enrolled;

19 (2) determine a reasonable number of individuals who
20 indicate a desire to work to receive employment services and ensure
21 those individuals:

22 (A) have received employment services during the
23 state fiscal biennium ending August 31, 2023, or during the period
24 beginning September 1, 2023, and ending December 31, 2023, from the
25 Texas Workforce Commission or through the waiver program in which
26 an individual is enrolled; or

27 (B) are receiving employment services on

1 December 31, 2023, from the Texas Workforce Commission or through
2 the waiver program in which an individual is enrolled; and

3 (3) ensure each individual who indicates a desire to
4 work is referred to receive employment services from the Texas
5 Workforce Commission or through the waiver program in which the
6 individual is enrolled.

7 (e) Not later than December 31 of each even-numbered year,
8 the executive commissioner shall prepare and submit to the
9 governor, lieutenant governor, speaker of the house of
10 representatives, and legislature a written report that outlines:

11 (1) the number of individuals to whom this section
12 applies who are receiving employment services in accordance with
13 rules adopted under this section;

14 (2) whether the employment services described by
15 Subdivision (1) are provided by the Texas Workforce Commission,
16 through the waiver program in which an individual is enrolled, or
17 both; and

18 (3) the number of individuals to whom this section
19 applies who have obtained competitive and integrated employment,
20 categorized by waiver program and, if applicable, an individual's
21 level of care.

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

26 SECTION 3. Notwithstanding Section 531.02448(e),
27 Government Code, as added by this Act, the executive commissioner

1 of the Health and Human Services Commission shall submit the first
2 report required by that section not later than December 31, 2024.

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

10 SECTION 5. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 50 passed the Senate on April 26, 2021, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 50 passed the House on May 24, 2021, by the following vote: Yeas 110, Nays 33, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor