

By: Zaffirini

S.B. No. 50

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 any of 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 uniform 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 uniform process the executive commissioner develops
9 to assess the individual's goals, opportunities, and services
10 described by Subsection (b) and incorporate those goals,
11 opportunities, and services into the plan of care.

12 (d) The executive commissioner by rule shall:

13 (1) establish performance measures for the employment
14 of individuals to whom this section applies and who are seeking
15 competitive and integrated employment;

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

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

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

1 (B) are receiving employment services on
2 December 31, 2023, from the Texas Workforce Commission or through
3 the waiver program in which an individual is enrolled; and

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

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

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

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

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

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

27 SECTION 3. Notwithstanding Section 531.02448(e),

1 Government Code, as added by this Act, the executive commissioner
2 of the Health and Human Services Commission shall submit the first
3 report required by that section not later than December 31, 2024.

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

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