

1-1 By: Zaffirini S.B. No. 50  
 1-2 (In the Senate - Filed November 9, 2020; March 3, 2021, read  
 1-3 first time and referred to Committee on Health & Human Services;  
 1-4 April 20, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 20, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 50 By: Campbell

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to a competitive and integrated employment initiative for  
 1-22 certain Medicaid recipients.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter B, Chapter 531, Government Code, is  
 1-25 amended by adding Section 531.02448 to read as follows:

1-26 Sec. 531.02448. COMPETITIVE AND INTEGRATED EMPLOYMENT  
 1-27 INITIATIVE FOR CERTAIN MEDICAID RECIPIENTS. (a) This section  
 1-28 applies to an individual receiving services under:

1-29 (1) any of the following waiver programs established  
 1-30 under Section 1915(c), Social Security Act (42 U.S.C. Section  
 1-31 1396n(c)):

1-32 (A) the home and community-based services (HCS)  
 1-33 waiver program;

1-34 (B) the Texas home living (TxHmL) waiver program;

1-35 (C) the deaf-blind with multiple disabilities  
 1-36 (DBMD) waiver program; and

1-37 (D) the community living assistance and support  
 1-38 services (CLASS) waiver program; and

1-39 (2) the STAR+PLUS home and community-based services  
 1-40 (HCBS) waiver program established under Section 1115, Social  
 1-41 Security Act (42 U.S.C. Section 1315).

1-42 (b) The executive commissioner by rule shall develop a  
 1-43 uniform process that complies with the policy adopted under Section  
 1-44 531.02447 to:

1-45 (1) assess the goals of and competitive and integrated  
 1-46 employment opportunities and related employment services available  
 1-47 to an individual to whom this section applies; and

1-48 (2) use the identified goals and available  
 1-49 opportunities and services to direct the individual's plan of care  
 1-50 at the time the plan is developed or renewed.

1-51 (c) The entity responsible for the development and renewal  
 1-52 of the plan of care for an individual to whom this section applies  
 1-53 shall use the uniform process the executive commissioner develops  
 1-54 to assess the individual's goals, opportunities, and services  
 1-55 described by Subsection (b) and incorporate those goals,  
 1-56 opportunities, and services into the plan of care.

1-57 (d) The executive commissioner by rule shall:

1-58 (1) identify strategies to increase the number of  
 1-59 individuals who are receiving employment services from the Texas  
 1-60 Workforce Commission or through the waiver program in which an

2-1 individual is enrolled;  
2-2 (2) determine a reasonable number of individuals who  
2-3 indicate a desire to work to receive employment services and ensure  
2-4 those individuals:  
2-5 (A) have received employment services during the  
2-6 state fiscal biennium ending August 31, 2023, or during the period  
2-7 beginning September 1, 2023, and ending December 31, 2023, from the  
2-8 Texas Workforce Commission or through the waiver program in which  
2-9 an individual is enrolled; or  
2-10 (B) are receiving employment services on  
2-11 December 31, 2023, from the Texas Workforce Commission or through  
2-12 the waiver program in which an individual is enrolled; and  
2-13 (3) ensure each individual who indicates a desire to  
2-14 work is referred to receive employment services from the Texas  
2-15 Workforce Commission or through the waiver program in which the  
2-16 individual is enrolled.  
2-17 (e) Not later than December 31 of each even-numbered year,  
2-18 the executive commissioner shall prepare and submit to the  
2-19 governor, lieutenant governor, speaker of the house of  
2-20 representatives, and legislature a written report that outlines:  
2-21 (1) the number of individuals to whom this section  
2-22 applies who are receiving employment services in accordance with  
2-23 rules adopted under this section;  
2-24 (2) whether the employment services described by  
2-25 Subdivision (1) are provided by the Texas Workforce Commission,  
2-26 through the waiver program in which an individual is enrolled, or  
2-27 both; and  
2-28 (3) the number of individuals to whom this section  
2-29 applies who have obtained competitive and integrated employment,  
2-30 categorized by waiver program and, if applicable, an individual's  
2-31 level of care.  
2-32 SECTION 2. As soon as practicable after the effective date  
2-33 of this Act, the executive commissioner of the Health and Human  
2-34 Services Commission shall adopt rules as necessary to implement  
2-35 Section 531.02448, Government Code, as added by this Act.  
2-36 SECTION 3. Notwithstanding Section 531.02448(e),  
2-37 Government Code, as added by this Act, the executive commissioner  
2-38 of the Health and Human Services Commission shall submit the first  
2-39 report required by that section not later than December 31, 2024.  
2-40 SECTION 4. The Health and Human Services Commission is  
2-41 required to implement a provision of this Act only if the  
2-42 legislature appropriates money to the commission specifically for  
2-43 that purpose. If the legislature does not appropriate money  
2-44 specifically for that purpose, the commission may, but is not  
2-45 required to, implement a provision of this Act using other  
2-46 appropriations that are available for that purpose.  
2-47 SECTION 5. This Act takes effect September 1, 2021.

2-48

\* \* \* \* \*