

By: Zaffirini

S.B. No. 1457

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to peer specialists for and the provision of peer services  
3 to individuals with an intellectual or developmental disability,  
4 including the provision of those services under Medicaid.

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

6 SECTION 1. Subchapter B, Chapter 531, Government Code, is  
7 amended by adding Section 531.09995 to read as follows:

8 Sec. 531.09995. PEER SPECIALISTS AND PEER SERVICES FOR  
9 INDIVIDUALS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY. (a)  
10 With input from intellectual and developmental disability peer  
11 specialists and the work group described by Subsection (b), the  
12 commission shall develop and the executive commissioner shall  
13 adopt:

14 (1) rules that establish training requirements for  
15 peer specialists so that they are able to provide services to  
16 individuals with an intellectual or developmental disability;

17 (2) rules that establish certification and  
18 supervision requirements for intellectual and developmental  
19 disability peer specialists;

20 (3) rules that define the scope of services that  
21 intellectual and developmental disability peer specialists may  
22 provide;

23 (4) rules that distinguish peer services for  
24 individuals with an intellectual or developmental disability from

1 other services that a person must hold a license to provide; and

2 (5) any other rules necessary to protect the health  
3 and safety of individuals receiving peer services.

4 (b) The commission shall establish a stakeholder work group  
5 to provide input for the adoption of rules under Subsection (a).  
6 The work group is composed of the following stakeholders appointed  
7 by the executive commissioner:

8 (1) one representative of each organization that  
9 certifies intellectual and developmental disability peer  
10 specialists in this state;

11 (2) three representatives of organizations that  
12 employ intellectual and developmental disability peer specialists;

13 (3) one intellectual and developmental disability  
14 peer specialist who works in an urban area;

15 (4) one intellectual and developmental disability  
16 peer specialist who works in a rural area;

17 (5) one individual who trains intellectual and  
18 developmental disability peer specialists;

19 (6) three representatives of licensed health care  
20 professional groups who supervise intellectual and developmental  
21 disability peer specialists;

22 (7) not more than three individuals with personal  
23 experience living with an intellectual or developmental  
24 disability; and

25 (8) any other individuals considered appropriate by  
26 the executive commissioner.

27 (c) The executive commissioner shall appoint one member of

1 the work group to serve as presiding officer.

2 (d) The work group shall meet once every month.

3 (e) The work group is automatically abolished on the  
4 adoption of rules under Subsection (a).

5 (f) An intellectual and developmental disability peer  
6 specialist who seeks Medicaid reimbursement for peer services may  
7 not:

8 (1) provide peer services to an individual with an  
9 intellectual or developmental disability who resides in a state  
10 supported living center unless a guardian of the individual is  
11 present at the time the services are provided; or

12 (2) recommend to or advocate for an individual with an  
13 intellectual or developmental disability who resides in a state  
14 supported living center to leave or move out of the center.

15 SECTION 2. Section 32.024(kk), Human Resources Code, as  
16 added by Chapter 1015 (H.B. 1486), Acts of the 85th Legislature,  
17 Regular Session, 2017, is reenacted and amended to read as follows:

18 (kk) The commission in its rules and standards governing the  
19 scope of services provided under the medical assistance program  
20 shall include peer services provided by certified peer specialists,  
21 including peer services provided to individuals with an  
22 intellectual or developmental disability, to the extent permitted  
23 by federal law.

24 SECTION 3. As soon as practicable after the effective date  
25 of this Act, the executive commissioner of the Health and Human  
26 Services Commission shall:

27 (1) adopt the rules required by Section 531.09995(a),

1 Government Code, as added by this Act; and

2           (2) appoint the members of the stakeholder work group  
3 established by Section 531.09995(b), Government Code, as added by  
4 this Act.

5           SECTION 4. If before implementing any provision of this Act  
6 a state agency determines that a waiver or authorization from a  
7 federal agency is necessary for implementation of that provision,  
8 the agency affected by the provision shall request the waiver or  
9 authorization and may delay implementing that provision until the  
10 waiver or authorization is granted.

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