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H.B. No. 140

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain co-navigation services to
individuals 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
INDIVIDUALS 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 an individual who is deaf-blind that assist the individual to
physically access the individual'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 individual who is deaf-blind. The term does not include performing any of the following for the individual:

(A) providing personal care services to the individual;

(B) completing ordinary errands for the individual;

(C) making decisions for the individual;

(D) teaching or otherwise instructing the individual; or

(E) interpreting for the individual 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 individuals 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
individuals who are deaf-blind and in sighted guide-mobility
techniques; and

(2) fluency and skill in communication modes and
sighted guide-mobility for individuals 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) individuals who are deaf-blind to enable
those individuals 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

1 include individuals who are deaf-blind and other stakeholders.

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

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

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

9 SECTION 3. Not later than September 1, 2024:

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

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

15 SECTION 4. This Act takes effect September 1, 2023.