

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a pilot project to provide supportive housing services through Medicaid to persons experiencing chronic homelessness.

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

SECTION 1. Subtitle I, Title 4, Government Code, is amended by adding Chapter 542 to read as follows:

CHAPTER 542. TEXAS PATHWAYS PILOT PROJECT

Sec. 542.001. DEFINITION. In this chapter, "pilot project" means the Texas pathways pilot project established by the commission under this chapter.

Sec. 542.002. CHRONIC HOMELESSNESS. (a) For purposes of this chapter, an individual or family is considered to be experiencing chronic homelessness if the individual or family:

(1) is homeless and living or residing in a safe haven, emergency shelter, or place not meant for human habitation;

(2) for a continuous year during the preceding year or on at least four separate occasions during the preceding three years, was homeless and lived or resided in a safe haven, emergency shelter, or place not meant for human habitation; and

(3) is the head of household who has, or is a member of a household whose head of household has:

(A) a diagnosed substance use disorder, serious mental illness, developmental disability, post-traumatic stress

1 disorder, cognitive impairment resulting from a brain injury, or
2 chronic illness or disability; or

3 (B) the simultaneous occurrence of any two or
4 more of the diagnosed conditions listed in Paragraph (A).

5 (b) Notwithstanding Subsection (a)(1), an individual who
6 lives or resides in an institutional care facility, including a
7 jail, substance use or mental health treatment facility, hospital,
8 or other similar facility, for a period of not more than 90 days is
9 considered to be experiencing chronic homelessness if, before
10 living or residing in the institutional care facility, the
11 individual met the requirements of Subsection (a).

12 Sec. 542.003. ESTABLISHMENT AND OPERATION OF PILOT PROJECT.

13 (a) The commission shall establish and operate a statewide Texas
14 pathways pilot project to provide to individuals experiencing
15 chronic homelessness supportive housing services through Medicaid,
16 including the following services:

17 (1) behavioral health services, including mental
18 health and substance use services;

19 (2) case management services;

20 (3) personal care and personal assistance services;

21 (4) home and community-based services; and

22 (5) other housing support services.

23 (b) In establishing the pilot project, the commission shall
24 consider and determine:

25 (1) eligibility criteria for participation in the
26 pilot project, including criteria on:

27 (A) an individual's health conditions;

1 (B) an individual's housing status; and
2 (C) current or potential costs of providing
3 supportive housing services to pilot project participants through
4 Medicaid;

5 (2) supportive housing services to be provided to
6 pilot project participants, including:

- 7 (A) outreach and engagement services;
8 (B) housing search assistance;
9 (C) education on tenants' rights and
10 responsibilities;
11 (D) eviction prevention services;
12 (E) supportive housing service plans;
13 (F) the coordination of supportive housing
14 services with:

- 15 (i) primary and health home care;
16 (ii) substance use treatment;
17 (iii) mental health treatment;
18 (iv) vision and dental services; and
19 (v) hospital and emergency room services;
20 (G) crisis intervention and critical time
21 intervention services;

- 22 (H) education on independent living skills; and
23 (I) services to link pilot project participants
24 to education, job skills training, and employment opportunities;

25 (3) financing and reinvestment strategies that
26 account for:

- 27 (A) the health care costs and housing status of

1 Medicaid recipients;

2 (B) the degree to which accurate and current
3 information on the housing status of Medicaid recipients is
4 available;

5 (C) the health care costs of individuals
6 receiving supportive housing services;

7 (D) the health care costs of Medicaid recipients
8 who receive Medicaid benefits from federal matching funds available
9 under the Patient Protection and Affordable Care Act (Pub. L.
10 No. 111-148), as amended by the Health Care and Education
11 Reconciliation Act of 2010 (Pub. L. No. 111-152), if applicable;

12 (E) the pilot project's potential impact on costs
13 to other entities, such as jails, long-term care facilities, and
14 treatment facilities;

15 (F) affordable housing investments that can be
16 leveraged to create new housing opportunities for pilot project
17 participants; and

18 (G) the amount of flexible service dollars
19 available to cover pilot project costs not covered under Medicaid;
20 and

21 (4) the administration of benefits under the pilot
22 project, including;

23 (A) the role of managed care;

24 (B) the role of supportive housing service
25 providers; and

26 (C) the coordination of the pilot project with
27 existing and emerging health care systems.

1 Sec. 542.004. REPORTS. (a) Not later than June 1, 2024,
2 the commission shall prepare and submit to the governor, lieutenant
3 governor, and speaker of the house of representatives a written
4 report that includes:

5 (1) a summary of the pilot project's progress;

6 (2) an assessment of the impact of providing
7 supportive housing services through Medicaid, including the costs
8 to provide the services, to individuals experiencing chronic
9 homelessness;

10 (3) an update on any waiver or amendment request
11 necessary to modify the state Medicaid plan to provide supportive
12 housing services under the pilot project;

13 (4) a description of the supportive housing services
14 being provided to individuals experiencing chronic homelessness at
15 the time the report is prepared;

16 (5) an analysis of the effectiveness of providing
17 supportive housing services at the level at which those services
18 are provided at the time the report is prepared;

19 (6) estimates of the costs and potential savings of
20 expanding health programs administered by the commission to meet
21 the needs of individuals experiencing chronic homelessness;

22 (7) proposed modification to eligibility criteria for
23 supportive housing services; and

24 (8) any legislative recommendations.

25 (b) Not later than September 1, 2026, the commission shall
26 prepare and submit to the governor, lieutenant governor, and
27 speaker of the house of representatives a final written report on

1 the pilot project that includes:

2 (1) a summary of the results of the pilot project;

3 (2) a statement on the pilot project's success in
4 providing supportive housing services to individuals experiencing
5 chronic homelessness;

6 (3) a recommendation as to whether the pilot project
7 should be continued as a pilot project or permanent program; and

8 (4) any legislative recommendations.

9 Sec. 542.005. CONCLUSION; EXPIRATION. (a) The pilot
10 project established under this chapter concludes September 1, 2025.

11 (b) This chapter expires September 1, 2027.

12 SECTION 2. If before implementing any provision of this Act
13 a state agency determines that a waiver or authorization from a
14 federal agency is necessary for implementation of that provision,
15 the agency affected by the provision shall request the waiver or
16 authorization and may delay implementing that provision until the
17 waiver or authorization is granted.

18 SECTION 3. This Act takes effect September 1, 2023.