

By: Price

H.B. No. 4169

A BILL TO BE ENTITLED

AN ACT

1
2 relating to providing prevocational services under certain
3 Medicaid waiver programs.

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

5 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,
6 is amended by adding Section 32.0755 to read as follows:

7 Sec. 32.0755. PREVOCATIONAL SERVICES UNDER CERTAIN WAIVER
8 PROGRAMS. (a) In this section, "prevocational services" means
9 services that are designed to prepare an individual for paid or
10 unpaid work and achieve a generalized result rather than being
11 job-task oriented.

12 (b) Prevocational services provided under the community
13 living assistance and support services (CLASS) waiver program or
14 another medical assistance waiver program providing long-term
15 services or supports to a medical assistance recipient must be
16 designed to assist the recipient in achieving permanent integrated
17 employment receiving compensation at or above the minimum wage in
18 the recipient's community and in accordance with state and federal
19 law.

20 (c) For purposes of determining a recipient's eligibility
21 for individualized skills and socialization services under a
22 medical assistance program providing long-term services or
23 supports to recipients under the medical assistance program,
24 habilitation services include prevocational services.

1 SECTION 2. If before implementing any provision of this Act
2 a state agency determines that a waiver or authorization from a
3 federal agency is necessary for implementation of that provision,
4 the agency affected by the provision shall request the waiver or
5 authorization and may delay implementing that provision until the
6 waiver or authorization is granted.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2023.