

By: Parker

S.B. No. 2359

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the intellectual disabilities and complex medical needs community support pilot program.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0997 to read as follows:

Sec. 531.0997. INTELLECTUAL DISABILITIES AND COMPLEX MEDICAL NEEDS COMMUNITY SUPPORT PILOT PROGRAM; REPORT ON PROGRAM.

(a) In this section:

(1) "Adult with a disability" means an individual who:

(A) has an intelligence quotient of 69 or below;

or

(B) has an intelligence quotient of 75 or below

and:

(i) mild to severe deficits in adaptive behavior;

(ii) a chronic or acute medical condition that requires continuous or frequent medical intervention; and

(iii) a need for substantial assistance in meeting daily living needs.

(2) "Group home" means a residential facility that provides support services to not more than four individuals with a disability.

(3) "Intentional community" means a voluntary

1 residential community that is designed to support a shared way of
2 life and may include a cooperative housing community.

3 (4) "Pilot program" means the intellectual
4 disabilities and complex medical needs community support pilot
5 program established under this section.

6 (b) The executive commissioner by rule shall develop and
7 implement a pilot program to award grants to nonprofit
8 organizations for the purpose of increasing community-based
9 housing options for adults who have a disability and complex
10 medical needs by providing housing in intentional communities or
11 group homes and community support. The program must be operated in
12 two regions of this state, as determined by the commission.

13 (c) An adult with a disability is eligible to receive
14 housing in an intentional community or group home operated by a
15 nonprofit organization under the pilot program if the individual:

16 (1) is a resident of this state;

17 (2) is at least 18 years of age;

18 (3) is a Medicaid recipient or is eligible to receive
19 Medicaid;

20 (4) is considered medically fragile, as defined by
21 commission rule; and

22 (5) meets any other eligibility criteria the
23 commission establishes.

24 (d) The commission shall award grants to eligible nonprofit
25 organizations that serve local intellectual and developmental
26 disability authorities according to commission rules. Grant money
27 awarded under the program may only be used by an organization to:

1 (1) provide housing and services to adults with a
2 disability;

3 (2) cover an organization's costs related to
4 participating in the program, including the:

5 (A) costs of the construction of a group home or a
6 residential home within an intentional community;

7 (B) costs of the renovation of a group home or a
8 residential home within an intentional community;

9 (C) costs of recruiting and training employees
10 to:

11 (i) operate a group home or residential
12 home within an intentional community; and

13 (ii) provide services to an adult with a
14 disability living in the home; and

15 (D) supplemental costs of health care services
16 provided by a licensed health care professional to an adult with a
17 disability living in a home; and

18 (3) to the extent allowed by federal law, provide
19 Medicaid reimbursement at a rate set by the executive commissioner
20 by rule for the recruitment and training of employees described by
21 Subdivision (2)(C) and health care services provided under the
22 pilot program.

23 (e) Not later than November 1, 2028, the commission shall:

24 (1) evaluate the effectiveness of the pilot program,
25 considering:

26 (A) the quality of the homes provided;

27 (B) the quality of accessibility;

1 (C) the number of adults with a disability served
2 by a nonprofit organization;

3 (D) the quality of care provided by the
4 organizations;

5 (E) whether the program is cost-effective;

6 (F) how the program is integrated into the
7 community; and

8 (G) the satisfaction of program participants;
9 and

10 (2) submit a written report providing an evaluation of
11 the pilot program and a recommendation regarding whether the
12 program should be continued, modified, or terminated to the
13 governor, the lieutenant governor, and the standing committees of
14 the senate and house of representatives having primary jurisdiction
15 over Medicaid.

16 (f) The pilot program terminates and this section expires
17 September 1, 2029.

18 SECTION 2. As soon as practicable after the effective date
19 of this Act, the Health and Human Services Commission shall adopt
20 rules necessary to implement Section 531.0997, Government Code, as
21 added by this Act.

22 SECTION 3. If before implementing any provision of this Act
23 a state agency determines that a waiver or authorization from a
24 federal agency is necessary for implementation of that provision,
25 the agency affected by the provision shall request the waiver or
26 authorization and may delay implementing that provision until the
27 waiver or authorization is granted.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2023.