

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Human Services
For HB 1008

Compiled on: Tuesday, March 14, 2023 1:25 PM

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Hearing Date: March 14, 2023 8:00 AM

Dianne Johnson
self
Burleson, TX

Please prevent caregivers who are under investigation for misconduct from working in facilities with individuals who have intellectual or developmental disabilities while their case is adjudicated.

Carla Billings
PART ..Parents and Allies for Remarkable Texans
Coleman, TX

I am in favor of HB 1008 as it protects vulnerable individuals . My daughter, Elizabeth Billings , resides at Abilene SSLC and was abused by a caretaker. Allegation was substantiated.
She was terrified that the employee would be reassigned to her home. I believe this measure to be reasonable and necessary.

Candra Schatz
Self and Son
CARROLLTON, TX

I support this bill on behalf of my son. He is 19 and IDD with an IQ of 26 and unable to express his concerns, fears, or needs. I can only assess his treatment and safety by my own observations of his apparent well-being and mood. I have to trust that providers ensure trustworthy individuals are caring for my son. I have personally experienced several situations where persons providing care to my son had outstanding felony warrants and carrying weapons etc. I only found this out because it was observed by a school staff person and a call was made to a police department. Please pass this bill to protect my son and other vulnerable families like ours.

REBECCA JAPKO

PART & SELF

BRENHAM, TX

After reading the Austin American Statesman expose DISABLED & ABANDONED, the article on BuzzFeed News regarding BrightSpring called Profit, Pain, and Private Equity and hearing the WFAA series on abuse, neglect and exploitation happening at Texas group homes, there is no doubt that Texas has a serious and life-threatening problems for those with intellectual/developmental disabilities.

Rep. Chris Turner of Arlington has filed HB 1008, 1009 & 1010 that arose from WFAA reporting over the last 3 years regarding group homes and the deaths that have occurred there in North Texas. I am asking you to vote yes for these bills so Texas can begin the process to protect its most vulnerable citizens.

I want to take this opportunity to ask the Committee members to consider filing the Stephen Komninos' (SK) Law here in Texas during the 89th Legislature. Stephen was a 22-year-old man in NJ, who choked to death in 2007 after he was left unsupervised by staff at a South Jersey group home. Spurred by his family and other NJ families, they advocated for greater state oversight and transparency for almost 10 years. In 2018, the New Jersey Department of Human Services implemented the SK Law. It is the landmark law that established new policies and procedures for protecting those with intellectual or developmental disabilities.

Texas:

- HHSC needs to lead an open and frank discussion about ANE - a discussion that includes individuals, families, advocates, providers, and legislators.
- Should have a zero-tolerance policy with teeth. No excuses. No second chances.
- Needs to increase the salary, training, and expectations for Direct Support Professionals. And with those raised salaries, standards must be raised. Raising both together, simultaneously. There is no way around it.
- Legislators, Agency and HHSC Advisory Councils should personally spend time with people with disabilities and their families and make room for those who have been squeezed out of the table so far that they are not even in the kitchen anymore. I am speaking specifically regarding the families of the State Supported Living Centers whose voices have been muted by advocacy groups, LIDDAs and HHSC.

Thank you

Bills similar to Turner's HB 1009 by Miles: SB 188 & Reynolds HB1219

New! The Stephen Komninos' Law

The Stephen Komninos' Law was enacted in 2017 and strengthens protections for participants of any NJ DHS funded, licensed or regulated program for adults with DD, including State developmental centers and community programs. The law recognizes the important role of guardians and family members in the lives of adults with developmental disabilities and establishes greater communication links between providers and guardians. Effective May 1, 2018, every person who is employed by or volunteering in any DHS-funded, licensed or regulated program serving adults with developmental disabilities is subject to the requirements of this law.

<https://www.state.nj.us/humanservices/home/skl.html>

Debra Wallace
PART/ ICF advocates for Choice/National Council for Severe Autism
Red Rock, TX

Debra Wallace
875 Sand Hills Road
Red Rock, Texas 78662

March 13, 2023

To: House Human Services Committee
Re: Support of HB 1008, HB 1009, HB 1010

Dear Chairman Frank and Committee Members:

Thank you for your consideration of HB 1008, HB 1009, HB 1010, all of which, if passed, will provide greater oversight of Texas' most vulnerable IDD citizens.

In support of HB 1008:

Often, the IDD population served in facilities are those who require an ICU level of care. That is, they are unlikely to report any crime committed against them due to the inability to communicate. These souls are truly voiceless. Therefore, it is the utmost importance that any question regarding a caregivers' involvement in abuse or neglect be resolved/adjudicated before they may resume contact with the resident.

In support of HB 1009:

Any employment that involves the care of any at risk population should undergo a vetting process, such as teachers do, for example. The employee serving our IDD population should be fingerprinted and must complete the national criminal history background check through DPS and the FBI. This should include no exemptions for individuals fingerprinted in another state.

In support of HB 1010:

The movement of severe IDD residents from an ICF to a group home has been facilitated by a program called Money Follows the Person, which pays funds to the group home for one year for the care of the individual moved. If that individual passes within that year, the group home keeps the funds regardless of the client outcome. The group home industry is profiteering, as it is. Additionally, the vulnerable can also be exploited through providers purchasing life insurance on their unrelated wards. This should be considered a criminal practice, as it ultimately rewards the caregiver for the death of their client/ward.

Thank you for your diligence, concern, and compassion for this very special population.

Respectfully,
Debra Wallace
Mother of Justin Wallace/42 years/Severely autistic
Vice President/PART
Founder/ICF Advocates for Choice
Affiliate/ National Counsel for Severe Autism

Aaryce Hayes, Policy Specialist
Disability Rights Texas
Austin, TX

DRTx supports HB 1008 and thanks Rep. Turner for his efforts to better protect vulnerable Texans from employees who are confirmed to have abused or neglected the residents in their care.

Lindsey Lampp

Self

Houston, TX

People with disabilities can be at higher risk for injuries, abuse, death and because of this care workers must be prevented from being hired while their case is being adjudicated