

BILL ANALYSIS

C.S.H.B. 2807
By: Rose
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Individuals with an intellectual or developmental disability (IDD) may experience severe and chronic conditions due to a mental or physical impairment that limits their ability to fulfill basic care needs without being fully dependent on other adults for that care. Local intellectual and developmental disability authorities provide community-based services to these individuals and address the needs of those returning to their communities from state supported living centers. However, the bill author has informed the committee that while the state provides services for individuals with an IDD, a coordinated body responsible for sharing new research, resources, and best practices in regard to quality of care is needed at the state level. C.S.H.B. 2807 seeks to address this issue by establishing the Statewide Intellectual and Development Disability Coordinating Council to ensure that Texas takes a strategic, comprehensive approach to IDD services.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2807 amends the Government Code to establish the Statewide Intellectual and Developmental Disability Coordinating Council for the following purposes:

- supporting state agency coordination and collaboration regarding services and supports for individuals with an intellectual or developmental disability (IDD) residing in Texas;
- developing, implementing, and maintaining a strategic plan for that purpose;
- enhancing the quality of life for individuals with an IDD by promoting cross-agency collaboration, reducing fragmentation of services, improving system navigation, and identifying and addressing service gaps as individuals transition across agencies and through life stages; and
- ensuring agencies align resources and strategies to serve individuals with an IDD.

C.S.H.B. 2807 requires the council to do the following:

- develop a recurring five-year statewide IDD strategic plan and monitor the implementation of the plan;
- submit the strategic plan to the executive commissioner of the Health and Human Services Commission (HHSC) and the administrative head of each agency subject to the plan;
- develop and, not later than November 1 of each even-numbered year, submit to the legislature a biennial coordinated statewide IDD expenditure proposal;

- annually publish an updated inventory of state-funded IDD programs and services that includes the following:
 - a description of how those programs and services further the purpose of the strategic plan; and
 - an estimate of the number of individuals waiting for or interested in receiving such programs and services; and
- annually identify and evaluate state and federal funding sources available to provide services for individuals with an IDD.

The bill authorizes the council to facilitate opportunities to increase collaboration for the effective expenditure of available federal and state funds for IDD services in Texas.

C.S.H.B. 2807 sets out the council's composition as follows:

- one or more representatives, as determined by the executive commissioner, designated by each of the following entities:
 - the Department of State Health Services;
 - the Department of Family and Protective Services;
 - the Texas Workforce Commission;
 - the Texas Education Agency;
 - the Texas Center for Disability Studies at The University of Texas at Austin;
 - the Center on Disability and Development at Texas A&M University;
 - the Texas Department of Criminal Justice;
 - the Commission on Jail Standards; and
 - the advisory council on postsecondary education for persons with IDD established under applicable Education Code provisions; and
- the following members appointed by the executive commissioner of HHSC:
 - a representative of a local intellectual and developmental disability authority;
 - a representative of the Governor's Committee on People with Disabilities;
 - a representative of the Texas Council for Developmental Disabilities;
 - a representative of the Arc of Texas;
 - a representative of a managed care organization;
 - a provider of Medicaid long-term services and supports;
 - an individual or family member of an individual with an IDD receiving home and community-based services, including under the home and community-based services (HCS) waiver program;
 - an individual or family member of an individual with an IDD residing in a state-licensed private intermediate care facility for individuals with an IDD;
 - an individual or family member of an individual with an IDD residing in a state supported living center;
 - a representative of HHSC's office of the ombudsman;
 - one representative appointed from each HHSC division with responsibility for specified services;
 - a physician;
 - a representative of a public institution of higher education that educates or trains individuals who are part of the workforce that serves individuals with an IDD;
 - a representative with expertise in providing services to individuals with a co-occurring IDD and a mental health condition;
 - a representative with expertise in providing to individuals with an IDD services under the Texas home living (TxHmL) or home and community-based services (HCS) waiver program or in a licensed intermediate care facility; and
 - any additional members as the executive commissioner determines appropriate who are recognized experts serving individuals with IDDs or who represent the interests of such individuals.

The council may authorize another state agency or institution that provides specific IDD services with the use of state-appropriated money to designate a representative to the council. The bill establishes that council members serve three-year terms at the pleasure of the designating entity and makes statutory provisions relating to state agency advisory committees inapplicable to the

council's composition. The bill requires the executive commissioner to designate a member of the council to serve as the presiding officer, requires the council to meet at least once quarterly or more frequently at the call of the presiding officer, and provides for the filling of a vacancy on the council and for a member filling a vacancy to hold the office for the unexpired portion of the term.

C.S.H.B. 2807 requires the council, not later than March 1 of the last state fiscal year in each five-year period covered by the most recent strategic plan, to develop a new strategic plan for the next five state fiscal years that begins with the following fiscal year and submit the new plan to the executive commissioner of HHSC and the administrative head of each agency subject to the plan. The bill authorizes the new strategic plan the council develops to do the following:

- identify key transition points at which individuals with an IDD may experience service gaps between state agencies or programs;
- study and make recommendations to improve systems interoperability and data sharing between state agencies serving individuals with an IDD;
- identify and promote best practices for cross-agency coordination at key life transition points, including from early childhood to school age, school to adulthood, and other aging-related transitions;
- review and make recommendations regarding the development, training, and retention of individuals who are part of the state agency and service workforce that serves individuals with an IDD;
- evaluate and make recommendations to address the specific needs of individuals with a co-occurring IDD and a mental health condition;
- examine systems of care for individuals with an IDD and include in the plan strategies to improve the coordination of publicly funded services and supports throughout those individuals' lives; and
- address coordination among state agencies and local governments, as applicable, responsible for program and policy development or oversight of programs providing medical services, long-term services and supports, public benefit programs, public education, higher education, housing, employment services, mental health services, hospital services, and criminal justice systems.

The bill requires the council to review and consider any existing strategic plans related to services for individuals with an IDD in development of the strategic plan. The bill requires the executive commissioner of HHSC and the administrative heads, not later than the 90th day after receiving the initial strategic plan, to develop and submit to the governor, the lieutenant governor, and the legislature a plan for implementing the recommendations applicable to the agency under the strategic plan. The bill requires an implementation plan to include a justification for any recommendation HHSC or the other agency declines to implement.

C.S.H.B. 2807 subjects the council to the Texas Sunset Act and requires the council to be reviewed during the period in which HHSC is reviewed. Unless continued in existence as provided by the act, the council is abolished and the bill's provisions expire on the date on which HHSC is subject to abolishment, which is September 1, 2027.

C.S.H.B. 2807 requires the appropriate authorities to designate or appoint, as applicable, members to the council not later than January 31, 2026. The bill requires the council to hold its initial meeting not later than March 1, 2026, and to prepare the initial strategic plan not later than March 1, 2027.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2807 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced established the council for the purpose of ensuring that the state develops a strategic approach for the provision of IDD services in Texas, the substitute establishes the council for the following purposes:

- supporting state agency coordination and collaboration regarding services and supports for individuals with an IDD residing in Texas;
- developing, implementing, and maintaining a strategic plan for that purpose;
- enhancing the quality of life for individuals with an IDD by promoting cross-agency collaboration, reducing fragmentation of services, improving system navigation, and identifying and addressing service gaps as individuals transition across agencies and through life stages; and
- ensuring agencies align resources and strategies to serve individuals with an IDD.

With respect to the duties of the council, the substitute includes a provision absent from the introduced requiring the council to annually identify and evaluate state and federal funding sources available to provide services for individuals with an IDD.

With respect to the council's composition, the substitute does the following:

- includes one or more representatives, as determined by the executive commissioner of HHSC, designated by the advisory council on postsecondary education for persons with IDD as members of the council, whereas the introduced did not; and
- includes the following council members appointed by the executive commissioner of HHSC, whereas the introduced did not:
 - a representative of a public institution of higher education that educates or trains individuals who are part of the workforce that serves individuals with an IDD;
 - a representative with expertise in providing services to individuals with a co-occurring IDD and a mental health condition; and
 - a representative with expertise in providing to individuals with an IDD services under the Texas home living (TxHmL) or home and community-based services (HCS) waiver program or in a licensed intermediate care facility.

With respect to the new five-year statewide intellectual and developmental disability strategic plan, the substitute includes provisions absent from the introduced authorizing the council to do the following:

- identify key transition points at which individuals with an IDD may experience service gaps between state agencies or programs;
- study and make recommendations to improve systems interoperability and data sharing between state agencies serving individuals with an IDD;
- identify and promote best practices for cross-agency coordination at key life transition points, including from early childhood to school age, school to adulthood, and other aging-related transitions;
- review and make recommendations regarding the development, training, and retention of individuals who are part of the state agency and service workforce that serves individuals with an IDD;
- evaluate and make recommendations to address the specific needs of individuals with a co-occurring IDD and a mental health condition;
- examine systems of care for individuals with an IDD and include in the plan strategies to improve the coordination of publicly funded services and supports throughout those individuals' lives; and
- address coordination among state agencies and local governments, as applicable, responsible for program and policy development or oversight of programs providing medical services, long-term services and supports, public benefit programs, public education, higher education, housing, employment services, mental health services, hospital services, and criminal justice systems.

The substitute includes a requirement absent from the introduced for the council to review and consider any existing strategic plans related to services for individuals with an IDD in development of the strategic plan.