By: Wooten H.B. No. 1189

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a work group to study and make recommendations on certain services needed by individuals with an intellectual or developmental disability.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "Commission" means the Health and Human Services Commission.

(2) "Executive commissioner" means the executive commissioner of the commission.

(3) "Work group" means the work group established under this Act.

SECTION 2. WORK GROUP; STUDY. (a) Not later than October 1, 2025, the executive commissioner shall establish a work group to conduct a study and make recommendations on the specialized services needed by individuals with an intellectual or developmental disability in this state, including individuals with mental health conditions or other high behavioral needs.

(b) The work group is composed of:

(1) subject to Subsection (c) of this section, one or more representatives designated by each of the following entities:

(A) the Department of Family and Protective Services;

(B) the Texas Department of Criminal Justice; and

(C) the Commission on Jail Standards; and

(2) the following members appointed by the executive commissioner:

(A) a representative of a local intellectual and developmental disability authority, as defined by Section 531.002, Health and Safety Code;

(B) a representative of the Governor's Committee on People with Disabilities;

(C) a representative of the Texas Council for Developmental Disabilities;

(D) a representative of the Arc of Texas;

(E) a representative of a managed care organization;

(F) Medicaid long-term services and supports providers, including:

(i) a provider under the home and community-based services (HCS) waiver program; and

(ii) an intermediate care facility provider licensed under Chapter 252, Health and Safety Code;

(G) an individual or family member of an individual with an intellectual or developmental disability receiving home and community-based services, including under the home and community-based services (HCS) waiver program;

(H) an individual or family member of an individual with an intellectual or developmental disability residing in a private intermediate care facility for individuals with an intellectual disability licensed under Chapter 252, Health

and Safety Code;

(I) an individual or family member of an individual with an intellectual or developmental disability residing in a state supported living center, as defined by Section 531.002, Health and Safety Code;

(J) a representative of the commission 's office of the ombudsman;

(K) representatives of the commission, with one representative appointed from each division of the commission with responsibility for:

(i) Medicaid and the Children 's Health Insurance Program (CHIP);

(ii) community services;

(iii) health and specialty care;

(iv) behavioral health services;

(v) access and eligibility services; and

(vi) family health services;

(L) a physician; and

(M) any additional members as the executive commissioner determines appropriate who are recognized experts serving individuals with an intellectual or developmental disability or who represent the interests of individuals with an intellectual or developmental disability.

(c) The executive commissioner shall determine the number of representatives that each entity may designate under Subsection (b)(1) of this section to serve on the work group.

(d) In conducting the study under this section, the work

group shall:

(1) evaluate the accessibility of existing services and resources in this state for individuals with an intellectual or developmental disability, including public and private programs for those individuals;

(2) evaluate the quality of existing services provided in this state for individuals with an intellectual or developmental disability, including the effectiveness of programs designed to promote health, education, employment, and community inclusion for those individuals;

(3) identify factors that contribute to mental health conditions affecting individuals with an intellectual or developmental disability, including the impact of trauma on those individuals;

(4) identify gaps in the availability of services for individuals with an intellectual or developmental disability, including access to services that address the needs of those individuals with a co-occurring mental health condition, including inpatient psychiatric care;

(5) evaluate the adequacy of state and federal funding for acute and long-term care services and supports for individuals with an intellectual or developmental disability, including the financial sustainability of existing service delivery models;

(6) evaluate the availability and capacity of trained professionals, including medical and mental health professionals, caregivers, and support staff, who provide needed services to individuals with an intellectual or developmental disability;

(7) evaluate public safety net services for individuals with an intellectual or developmental disability, including the role, functions, and capacity of local intellectual and developmental disability authorities to coordinate services and supports to meet the needs of those individuals;

(8) evaluate the status of any interest lists for services or programs for individuals with an intellectual or developmental disability, including the average wait time an individual spends on those interest lists;

(9) identify best practices and innovative models used in and outside this state for services provided to individuals with an intellectual or developmental disability, including the potential for implementing or expanding on the best practices and innovative models; and

(10) evaluate stakeholder input, including input from individuals with an intellectual or developmental disability and their families, caregivers, advocacy groups, and service providers.

SECTION 3. REPORT. Not later than December 1, 2026, the executive commissioner shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over intellectual and developmental disability issues a written report that includes:

(1) a summary of the work group's findings based on the results of the study conducted under this Act;

(2) recommendations to address gaps in access to, and

challenges in the provision of, acute and long-term care services and supports for individuals with an intellectual or developmental disability;

(3) recommendations for improving funding models, service delivery systems, and workforce development strategies in relation to the provision of services to individuals with an intellectual or developmental disability;

(4) recommendations for legislative or administrative action, including legislation or rules, to implement the work group's recommendations; and

(5) suggested timelines for implementing the work group's recommendations.

SECTION 4. EXPIRATION. This Act expires and the work group is abolished December 31, 2026.

SECTION 5. EFFECTIVE DATE. This Act takes effect September 1, 2027.