By: González of El Paso

H.B. No. 3287

## A BILL TO BE ENTITLED

1	AN ACT

- 2 relating to the provision of certain co-navigation services to
- 3 persons who are deaf-blind.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. Section 81.001, Human Resources Code, is amended
- 6 by adding Subdivision (1) to read as follows:
- 7 (1) "Commission" means the Health and Human Services
- 8 Commission.
- 9 SECTION 2. Chapter 81, Human Resources Code, is amended by
- 10 adding Section 81.014 to read as follows:
- 11 Sec. 81.014. CO-NAVIGATION SERVICES PROGRAM FOR PERSONS WHO
- 12 ARE DEAF-BLIND. (a) In this section:
- 13 (1) "Communication mode" includes communication
- 14 through:
- 15 (A) auditory amplification, such as through a
- 16 personal hearing aid or assistive listening device;
- 17 <u>(B) American Sign Language or Signed English</u> by
- 18 both tactile and visual means; and
- (C) protactile language.
- 20 (2) "Co-navigation services" means services provided
- 21 to a person who is deaf-blind that assist the person to physically
- 22 access the person's environment and to make informed decisions. The
- 23 term includes providing visual and environmental information or
- 24 sighted guide services and assisting with communication

- 1 accessibility by communicating in the preferred language and
- 2 communication mode of the person who is deaf-blind. The term does
- 3 not include performing any of the following for the person:
- 4 (A) providing personal care services to the
- 5 person;
- 6 (B) completing ordinary errands for the person;
- 7 (C) making decisions for the person;
- 8 <u>(D) teaching or otherwise instructing the</u>
- 9 person; or
- 10 <u>(E) interpreting for the person in a formal</u>
- 11 setting, including a medical, legal, or business setting.
- 12 (3) "Co-navigator" means a person who is specially
- 13 trained to provide co-navigation services.
- 14 (4) "Program" means the deaf-blind co-navigation
- 15 <u>services program.</u>
- 16 (5) "Protactile language" means a method of
- 17 communication based on touch that is used by persons who are
- 18 deaf-blind.
- 19 (b) The commission shall operate a statewide co-navigation
- 20 services program through which:
- 21 (1) co-navigation services are provided by
- 22 co-navigators; and
- 23 (2) the commission reimburses the co-navigators for
- 24 the provision of the services.
- 25 (c) The executive commissioner by rule shall establish
- 26 reimbursement rates to be paid to a co-navigator under the program.
- 27 The reimbursement rates must use a tiered wage scale that is based

- 2 (1) level of training in communication modes for
- 3 persons who are deaf-blind and in sighted guide-mobility
- 4 techniques; and
- 5 (2) fluency and skill in communication modes and
- 6 sighted guide-mobility for persons who are deaf-blind.
- 7 (d) The commission shall ensure that quality co-navigation
- 8 services are provided under the program by:
- 9 (1) monitoring the compliance of co-navigators with
- 10 program rules;
- 11 (2) developing funding sources for the program that
- 12 are in addition to state sources and will reduce reliance on the
- 13 state sources for continuation of the program; and
- 14 (3) providing funding and technical assistance for
- 15 training programs for:
- 16 (A) co-navigators under the program; and
- 17 (B) persons who are deaf-blind to enable those
- 18 persons to effectively use the services offered under the program.
- 19 (e) The executive commissioner may establish an advisory
- 20 committee to advise the commission in developing and operating the
- 21 program, including operating the program in a manner that ensures
- 22 the efficient use of state money. Subject to Section 2110.002,
- 23 Government Code, the executive commissioner shall determine the
- 24 number of members serving on the advisory committee, which must
- 25 include persons who are deaf-blind and other stakeholders.
- 26 (f) The executive commissioner may adopt rules necessary
- 27 to:

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- 1 (1) operate the program in a manner that is efficient
- 2 and maximizes the number of persons served; and
- 3 (2) ensure that co-navigators receiving reimbursement
- 4 under the program have adequate training to provide co-navigation
- 5 <u>services.</u>
- 6 SECTION 3. Not later than September 1, 2022:
- 7 (1) the executive commissioner of the Health and Human
- 8 Services Commission shall adopt rules necessary to implement
- 9 Section 81.014, Human Resources Code, as added by this Act; and
- 10 (2) the commission shall begin operating the program
- 11 required by that section.
- 12 SECTION 4. This Act takes effect September 1, 2021.