

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain co-navigation services to individuals who are deaf-blind.

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

SECTION 1. Section 81.001, Human Resources Code, is amended by adding Subdivision (1) to read as follows:

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

SECTION 2. Chapter 81, Human Resources Code, is amended by adding Section 81.014 to read as follows:

Sec. 81.014. CO-NAVIGATION SERVICES PROGRAM FOR INDIVIDUALS WHO ARE DEAF-BLIND. (a) In this section:

(1) "Communication mode" includes communication through:

(A) auditory amplification, such as through a personal hearing aid or assistive listening device;

(B) American Sign Language or Signed English by both tactile and visual means; and

(C) protactile language.

(2) "Co-navigation services" means services provided to an individual who is deaf-blind that assist the individual to physically access the individual's environment and to make informed decisions. The term includes providing visual and environmental information or sighted guide services and assisting with

1 communication accessibility by communicating in the preferred
2 language and communication mode of the individual who is
3 deaf-blind. The term does not include performing any of the
4 following for the individual:

5 (A) providing personal care services to the
6 individual;

7 (B) completing ordinary errands for the
8 individual;

9 (C) making decisions for the individual;

10 (D) teaching or otherwise instructing the
11 individual; or

12 (E) interpreting for the individual in a formal
13 setting, including a medical, legal, or business setting.

14 (3) "Co-navigator" means a person who is specially
15 trained to provide co-navigation services.

16 (4) "Program" means the deaf-blind co-navigation
17 services program.

18 (5) "Protactile language" means a method of
19 communication based on touch that is used by individuals who are
20 deaf-blind.

21 (b) The commission shall operate a statewide co-navigation
22 services program through which:

23 (1) co-navigation services are provided by
24 co-navigators; and

25 (2) the commission reimburses the co-navigators for
26 the provision of the services.

27 (c) The executive commissioner by rule shall establish

1 reimbursement rates to be paid to a co-navigator under the program.
2 The reimbursement rates must use a tiered wage scale that is based
3 on the co-navigator's:

4 (1) level of training in communication modes for
5 individuals who are deaf-blind and in sighted guide-mobility
6 techniques; and

7 (2) fluency and skill in communication modes and
8 sighted guide-mobility for individuals who are deaf-blind.

9 (d) The commission shall ensure that quality co-navigation
10 services are provided under the program by:

11 (1) monitoring the compliance of co-navigators with
12 program rules;

13 (2) developing funding sources for the program that
14 are in addition to state sources and will reduce reliance on the
15 state sources for continuation of the program; and

16 (3) providing funding and technical assistance for
17 training programs for:

18 (A) co-navigators under the program; and

19 (B) individuals who are deaf-blind to enable
20 those individuals to effectively use the services offered under the
21 program.

22 (e) The executive commissioner may establish an advisory
23 committee to advise the commission in developing and operating the
24 program, including operating the program in a manner that ensures
25 the efficient use of state money. Subject to Section 2110.002,
26 Government Code, the executive commissioner shall determine the
27 number of members serving on the advisory committee, which must

1 include individuals who are deaf-blind and other stakeholders.

2 (f) The executive commissioner may adopt rules necessary
3 to:

4 (1) operate the program in a manner that is efficient
5 and maximizes the number of individuals served; and

6 (2) ensure that co-navigators receiving reimbursement
7 under the program have adequate training to provide co-navigation
8 services.

9 SECTION 3. Not later than September 1, 2024:

10 (1) the executive commissioner of the Health and Human
11 Services Commission shall adopt rules necessary to implement
12 Section 81.014, Human Resources Code, as added by this Act; and

13 (2) the commission shall begin operating the program
14 required by that section.

15 SECTION 4. This Act takes effect September 1, 2023.