

BILL ANALYSIS

H.B. 140
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Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the Helen Keller National Center, approximately 2,500 Texans are challenged with a dual sensory loss of hearing and vision. Many of these individuals are adults striving to live as independently as possible while facing many substantial barriers. Unfortunately, not all qualify for existing state-supported services, such as those available through the Deaf-Blind with Multiple Disabilities Medicaid waiver program, and as a result some do not receive coordinated support services. Instead, these individuals must rely primarily on untrained volunteers, whose services are often hard to obtain due to a lack of available volunteers. H.B. 140 seeks to ensure that Texans attempting to maintain independence while dealing with the loss of their hearing and vision can do so by implementing a policy recommendation of the Governor's Committee on People with Disabilities to establish a co-navigator program within the Health and Human Services Commission.

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 rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

ANALYSIS

H.B. 140 amends the Human Resources Code to require the Health and Human Services Commission (HHSC) to operate a statewide co-navigation services program through which such services are provided to deaf-blind individuals by co-navigators who are reimbursed by HHSC for the provision of the services. The bill defines, among other terms, "co-navigation services" as services provided to an individual who is deaf-blind that assist the individual to physically access their environment and to make informed decisions. The term includes providing visual and environmental information or sighted guide services and assisting with communication accessibility by communicating in the preferred language and communication mode of the individual who is deaf-blind, but does not include performing any of the following for the individual:

- providing personal care services;
- completing ordinary errands;
- making decisions;
- teaching or otherwise providing instruction; or
- interpreting in a formal setting, including a medical, legal, or business setting.

H.B. 140 requires the executive commissioner of HHSC by rule to establish reimbursement rates to be paid to a co-navigator under the program using a tiered wage scale based on the

co-navigator's level of training and fluency and skill in communication modes and sighted guide-mobility for deaf-blind individuals. The bill requires HHSC to ensure that quality co-navigation services are provided under the program by doing the following:

- monitoring the compliance of co-navigators with program rules;
- developing funding sources for the program that are in addition to state sources and will reduce reliance on the state sources for continuation of the program; and
- providing funding and technical assistance for training programs for co-navigators and deaf-blind individuals under the program.

H.B. 140 authorizes the executive commissioner to establish an advisory committee to advise HHSC in developing and operating the program. The bill requires the executive commissioner to determine the number of members serving on the advisory committee, which must include deaf-blind individuals and other stakeholders.

H.B. 140 authorizes the executive commissioner to adopt rules necessary to operate the program in a manner that is efficient and maximizes the number of individuals served and to ensure that co-navigators receiving reimbursement under the program have adequate training to provide co-navigation services.

H.B. 140 requires the executive commissioner, not later than September 1, 2024, to adopt rules necessary to implement the bill's provisions and requires HHSC to begin operating the program not later than that date.

EFFECTIVE DATE

September 1, 2023.