

BILL ANALYSIS

C.S.H.B. 1541
By: Burkett
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The documented mental health workforce shortage in Texas indicates the need for greater access to peer specialists, who assist patients on the road to recovery from debilitating and unfavorable behaviors. Proponents of peer specialists assert that the services provided by these professionals help prevent relapses and decrease the need for other types of services in the future. While these services are recognized at the local level, interested parties contend that recognizing peer services at the state level would increase the quality of available services and use the skills of those already serving patients at the local level. C.S.H.B. 1541 seeks to expand access to peer 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 rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1541 amends the Human Resources Code to require the Health and Human Services Commission (HHSC) rules and standards governing the scope of services provided under the Medicaid program to include peer services provided by certified peer specialists to the extent permitted by federal law. The bill requires HHSC to establish a separate provider type for peer specialists for purposes of enrollment as providers of and reimbursement under Medicaid.

C.S.H.B. 1541 amends the Government Code to require HHSC to develop and the executive commissioner of HHSC to adopt rules that establish training requirements for peer specialists so that they are able to provide services to persons with mental illness and services to persons with substance abuse conditions; rules that establish certification and supervision requirements for peer specialists; rules that define the scope of services that peer specialists may provide; rules that distinguish peer services from other services that a person must hold a license to provide; and any other rules necessary to protect the health and safety of persons receiving peer services. The bill requires the rules to be developed and adopted with input from peer specialists, state-approved organizations that certify peer specialists, and other relevant stakeholders.

C.S.H.B. 1541 requires the executive commissioner to adopt the required rules as soon as practicable after the bill's effective date and requires HHSC to establish and implement a separate provider type for peer specialists as soon as practicable after that date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1541 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0999 to read as follows:

Sec. 531.0999. PEER SPECIALISTS. (a) With input from peer specialists, state-approved organizations that certify peer specialists, and other relevant stakeholders, the commission shall develop and the executive commissioner shall adopt:

(1) rules that establish two peer specialist types, one that provides services to persons with mental illness and one that provides services to persons with substance abuse problems;

(2) rules that establish certification and supervision requirements for each type of peer specialist;

(3) rules that define the scope of services that peer specialists may provide; and

(4) any other rules necessary to protect the health and safety of persons receiving peer services.

(b) The rules adopted under Subsection (a)(3) must include in the scope of services that peer specialists may provide:

(1) one-to-one support;

(2) advocacy;

(3) systems navigation;

(4) support group facilitation;

(5) transportation assistance;

(6) assistance in developing skills that promote independence in the community;

(7) assistance in locating community supports;

(8) monitoring a person's progress toward the person's achievement of a person-centered plan;

(9) resource connecting;

(10) staff, family, and community

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0999 to read as follows:

Sec. 531.0999. PEER SPECIALISTS. With input from peer specialists, state-approved organizations that certify peer specialists, and other relevant stakeholders, the commission shall develop and the executive commissioner shall adopt:

(1) rules that establish training requirements for peer specialists so that they are able to provide services to persons with mental illness and services to persons with substance use conditions;

(2) rules that establish certification and supervision requirements for peer specialists;

(3) rules that define the scope of services that peer specialists may provide;

(4) rules that distinguish peer services from other services that a person must hold a license to provide; and

(5) any other rules necessary to protect the health and safety of persons receiving peer services.

No equivalent provision.

education;
(11) crisis intervention; and
(12) coordination of appointments.

SECTION 2. Section 32.024, Human Resources Code, is amended.

SECTION 3. As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall adopt the rules required by Section 531.0999, Government Code, as added by this Act.

SECTION 4. As soon as practicable after the effective date of this Act, the Health and Human Services Commission shall establish and implement a separate provider type for peer specialists as required by Section 32.024(oo), Human Resources Code, as added by this Act.

SECTION 5. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 2. Substantially the same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.