

(The House considered SB 63 by Zaffirini, the Senate companion bill, in lieu of HB 165, the House version of the bill, which had been set on the daily calendar and was analyzed by the House Research Organization. The bill subsequently was enacted as SB 63.)

HOUSE  
RESEARCH  
ORGANIZATION bill digest

5/8/2009

HB 165  
Naishtat, et al.  
(CSHB 165 by Rose)

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SUBJECT: Career ladder for persons providing services for DB-MD waiver program

COMMITTEE: Human Services — committee substitute recommended

VOTE: 8 ayes — Rose, Herrero, Darby, Elkins, Hughes, Legler, Naishtat, Walle

0 nays

1 absent — Hernandez

WITNESSES: For — Donna Harp; Larin Harp; Vivecca Hartman, Melanie Knapp, and Stephen Schoen, Deaf Blind Multihandicapped Association of Texas; (*Registered, but did not testify:* Dawn Choate, The Arc of Texas; Susan Murphree, Advocacy Incorporated; Marty Murrell, Alliance of and for Visually Impaired Texans (AVIT); Derrick Osobase, Texas State Employees Union; Deborah Zook)

Against — None

BACKGROUND: The Deaf-Blind with Multiple Disabilities (DB-MD) waiver program serves individuals who are deaf and blind with multiple disabilities. Like other waiver programs, the DB-MD waiver offers a cost effective alternative to institutionalization, while helping individuals to become more communicative, independent, and interactive with their environment.

“Deaf-blind” refers to a combination of visual and hearing impairments that affect the way an individual can access information and function in daily life. “Interveners” are individuals with knowledge of, and specialized skills in, communication and other issues related to deaf-blindness who can act as the eyes and ears of the deaf-blind individual, guiding the person through daily life and attaching language and meaning to all experiences. The vocation of interveners is fairly new, and some universities are beginning to offer course work and certification in intervener services.

The Department of Aging and Disability Services (DADS) currently

requires an intervener to have a high school diploma or GED, two years experience with an individual with developmental disabilities (not necessarily deaf-blind), and the ability to communicate proficiently with the client in the client's functional language. DADS provides 20 hours of training specific to deaf-blindness.

DIGEST:

CSHB 165 would create a career ladder for individuals providing intervener services within the DB-MD waiver program. Individuals could complete deaf-blind related course work, which consists of educational courses designed to improve a student's knowledge of:

- deaf-blindness and its effects on learning;
- the role of intervention and ability to facilitate the intervention process;
- areas of communication relevant to deaf-blindness, including methods, adaptations, and use of assistive technology, and ability to facilitate a deaf-blind individual's development and use of communication skills;
- the effect that deaf-blindness has on an individual's psychological, social, and emotional development and ability to facilitate the emotional well-being of a deaf-blind person;
- issues related to sensory systems and ability to facilitate the use of senses;
- motor skills, movement, orientation, and mobility strategies and ability to facilitate orientation and mobility skills;
- the effect that additional disabilities have on a deaf-blind individual and ability to provide appropriate support; or
- professionalism and ethical issues relevant to the role of an intervener.

The executive commissioner of the Health and Human Services Commission (HHSC) would adopt rules providing a system under which individuals could be classified based on level of training, education, and experience, as one of the following:

- Intervener;
- Intervener I;
- Intervener II; or
- Intervener III.

An Intervener would have to meet the current DADS standards for an intervener within the DB-MD waiver program.

An Intervener I would have to meet the minimum required standards of an Intervener, have at least six months experience working with deaf-blind individuals, and have completed at least eight semester credit hours, plus a one-hour practicum in deaf-blind related course work.

An Intervener II would have to meet the requirements of Intervener I, plus have at least nine months experience working with deaf-blind individuals and have completed an additional 10 hours in deaf-blind related course work.

An Intervener III would have to meet the requirements of Intervener II, plus have at least one year of experience working with deaf-blind individuals and hold an associate's or bachelor's degree with a focus on deaf-blind related course work.

The executive commissioner could establish a career ladder based on the credentialing standards for interveners developed by the Academy for Certification of Vision Rehabilitation and Education Professionals or any other appropriate private credentialing entity. The compensation an intervener within the DB-MD waiver program received would be based on the intervener's career ladder classification.

If the executive commissioner determined that an amendment to the DB-MD waiver program or other federal authorization was required, the commissioner would apply for and pursue the amendment or authorization and could delay adopting the rules required by the bill until the amendment or other authorization applied for was granted.

The bill would take effect September 1, 2009.

**NOTES:**

The companion bill, SB 63 by Zaffirini, passed the Senate by 31-0 on May 6 and has been referred to the House Human Services Committee.