

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 63
By: Zaffirini
Health & Human Services
4/30/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many of the clients in the Deaf-Blind with Multiple Disabilities (DBMD) waiver program are not operating at their full potential with respect to their ability to take care of their own needs, understand the world around them, and interact with others. The needs of persons who are both deaf and blind (deaf-blind) far outweigh the abilities of a person who has the minimum 20 hours of training required to become an intervener. Academic experience must be balanced with practicing the skills under the supervision of a professional. Besides ensuring that interveners have access to additional college-level training specific to deaf-blind issues, hands-on experience in the form of an internship would be required. Including an experience-based practicum is important because all other health professions require an internship for qualification.

C.S.S.B. 63 relates to a career ladder for interveners who provide services under the deaf-blind with multiple disabilities waiver program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 531.0973, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.0973, as follows:

Sec. 531.0973. DEAF-BLIND WITH MULTIPLE DISABILITIES WAIVER PROGRAM: CAREER LADDER FOR INTERVENERS. (a) Defines "deaf-blind related course work."

(b) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) by rule to adopt a career ladder for persons who provide intervener services under the deaf-blind with multiple disabilities waiver program. Requires that the rules provide a system under which each person may be classified based on the person's level of training, education, and experience, as an Intervener, Intervener I, Intervener II, or Intervener III.

(c) Requires that rules adopted by the executive commissioner under Subsection (b) set forth certain minimum requirements for certain persons who provide intervener services.

(d) Authorizes the executive commissioner to adopt a career ladder under this section based on credentialing standards for interveners developed by the Academy for Certification of Vision Rehabilitation and Education Professionals or any other private credentialing entity that the executive commissioner determines is appropriate, notwithstanding Subsections (b) and (c).

(e) Requires that the compensation an intervener receives for providing services under the deaf-blind with multiple disabilities waiver program be based on and commensurate with the intervener's career ladder classification.

SECTION 2. Requires the executive commissioner, if before adopting rules under Section 531.0973, Government Code, as added by this Act, the executive commissioner determines that an amendment to this state's deaf-blind with multiple disabilities waiver under Section 1915(c) of the federal Social Security Act (42 U.S.C. Section 1396n(c)) or other authorization from the federal Centers for Medicare and Medicaid Services or any other federal agency is necessary, to apply for an actively pursue the amendment or other authorization and is authorized to delay adopting rules under Section 531.0973, Government Code, as added by this Act, until the amendment or other authorization applied for under this section is granted.

SECTION 3. Effective date: September 1, 2009.