S.B. No. 1878

Chapter 838

AN ACT

relating to the creation and operation of a council to increase
state efforts to offer service-enriched housing through increased
coordination of housing and health services.

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

SECTION 1. Chapter 2306, Government Code, is amended by
adding Subchapter NN to read as follows:

SUBCHAPTER NN. HOUSING AND HEALTH SERVICES COORDINATION COUNCIL

Sec. 2306.1091. DEFINITIONS. (a) In this subchapter,
"council" means the housing and health services coordination
council.

(b) With the advice and assistance of the council, the
department by rule shall define "service-enriched housing" for the
purposes of this subchapter.

Sec. 2306.1092. COMPOSITION. (a) The department shall
establish a housing and health services coordination council.

(b) The council is composed of 16 members consisting of:

(1) the director;

(2) one representative from each of the following
agencies, appointed by the head of that agency:

(A) the Office of Rural Community Affairs;

(B) the Texas State Affordable Housing
Corporation;

(C) the Health and Human Services Commission;

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(D) the Department of Assistive and Rehabilitative Services;

(E) the Department of Aging and Disability Services; and

(F) the Department of State Health Services;

(3) one representative from the Department of Agriculture who is:

(A) knowledgeable about the Texans Feeding Texans and Retire in Texas programs or similar programs; and

(B) appointed by the head of that agency;

(4) one member who is:

(A) a member of the Health and Human Services Commission Promoting Independence Advisory Committee; and

(B) appointed by the governor; and

(5) one representative from each of the following interest groups, appointed by the governor:

(A) financial institutions;

(B) multifamily housing developers;

(C) health services entities;

(D) nonprofit organizations that advocate for affordable housing and consumer-directed long-term services and support;

(E) consumers of service-enriched housing;

(F) advocates for minority issues; and

(G) rural communities.

(c) A member of the council appointed under Subsection (b)(2) must have, subject to the approval of the head of the agency,
authority to make decisions for and commit resources of the agency
that the member represents and must have:

(1) administrative responsibility for agency programs
for older adults or persons with disabilities;

(2) knowledge or experience regarding the
implementation of projects that coordinate integrated housing and
health services; or

(3) knowledge or experience regarding services used by
older adults or persons with disabilities.

(d) The director serves as the presiding officer of the
council.

Sec. 2306.1093. TERMS. (a) A member of the council who
represents a state agency serves at the pleasure of the head of that
agency.

(b) Members of the council who are appointed by the governor
serve staggered six-year terms, with the terms of two or three
members expiring on September 1 of each odd-numbered year.

Sec. 2306.1094. OPERATION OF COUNCIL. (a) The council
shall meet at least quarterly.

(b) The department shall provide clerical and advisory
support staff to the council.

(c) Except as provided by Section 2306.1095, Chapter 2110
does not apply to the size, composition, or duration of the council.

Sec. 2306.1095. COMPENSATION AND REIMBURSEMENT. (a) A
member of the council who is appointed by the governor may not
receive compensation for service on the council. The member may
receive reimbursement from the department for actual and necessary
expenses incurred in performing council functions as provided by
Section 2110.004.

(b) A member of the council who is not appointed by the
governor may not receive compensation for service on the council or
reimbursement for expenses incurred in performing council
functions.

Sec. 2306.1096. DUTIES; BIENNIAL REPORT. (a) The council
shall:

(1) develop and implement policies to coordinate and
increase state efforts to offer service-enriched housing;

(2) identify barriers preventing or slowing
service-enriched housing efforts, including barriers attributable
to the following factors:

(A) regulatory requirements and limitations;

(B) administrative limitations;

(C) limitations on funding; and

(D) ineffective or limited coordination;

(3) develop a system to cross-educate selected staff
in state housing and health services agencies to increase the
number of staff with expertise in both areas and to coordinate
relevant staff activities of those agencies;

(4) identify opportunities for state housing and
health services agencies to provide technical assistance and
training to local housing and health services entities about:

(A) the cross-education of staff;

(B) coordination among those entities; and

(C) opportunities to increase local efforts to
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create service-enriched housing; and

(5) develop suggested performance measures to track progress in:

(A) the reduction or elimination of barriers in creating service-enriched housing;

(B) increasing the coordination between state housing and health services agencies;

(C) increasing the number of state housing and health services staff who are cross-educated or who have expertise in both housing and health services programs; and

(D) the provision of technical assistance to local communities by state housing and health services staff to increase the number of service-enriched housing projects.

(b) The council shall develop a biennial plan to implement the goals described by Subsection (a).

(c) Not later than August 1 of each even-numbered year, the council shall deliver a report of the council's findings and recommendations to the governor and the Legislative Budget Board.

Sec. 2306.1097. GIFTS AND GRANTS. The council may solicit and accept gifts, grants, and donations for the purposes of this subchapter.

Sec. 2306.1098. DUTIES OF EMPLOYEES PROVIDING ADVISORY SUPPORT TO COUNCIL. Department employees assigned to provide advisory support to the council shall:

(1) identify sources of funding from this state and the federal government that may be used to provide integrated housing and health services;
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(2) determine the requirements and application
guidelines to obtain those funds;

(3) provide training materials that assist the
development and financing of a service-enriched housing project;

(4) provide information regarding:
   (A) effective methods to collaborate with
governmental entities, service providers, and financial
institutions; and
   (B) the use of layered financing to provide and
finance service-enriched housing;

(5) create a financial feasibility model that assists
in making a preliminary determination of the financial viability of
proposed service-enriched housing projects, including models that
allow a person to analyze multiuse projects that facilitate the
development of projects that will:
   (A) address the needs of communities with
different populations; and
   (B) achieve economies of scale required to make
the projects financially viable;

(6) facilitate communication between state agencies,
sources of funding, service providers, and other entities to reduce
or eliminate barriers to service-enriched housing projects;

(7) provide training about local, state, and federal
funding sources and the requirements for those sources;

(8) develop a database to identify, describe, monitor,
and track the progress of all service-enriched housing projects
developed in this state with state or federal financial assistance;
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(9) conduct a biennial evaluation and include in the

council's report to the governor and the Legislative Budget Board

under Section 2306.1096 information regarding:

(A) the capacity of statewide long-term care

providers; and

(B) interest by housing developers in investing

in service-enriched housing;

(10) to increase the consistency in housing

regulations, recommend changes to home and community-based

Medicaid waivers that are up for renewal;

(11) research best practices with respect to

service-enriched housing projects subsidized by other states; and

(12) create and maintain a clearinghouse of

information that contains tools and resources for entities seeking

to create or finance service-enriched housing projects.

SECTION 2. (a) As soon as possible after the effective
date of this Act, the governor and the heads of the applicable state
agencies shall appoint members to the housing and health services
coordination council in accordance with Subchapter NN, Chapter
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2306, Government Code, as added by this Act.

(b) In making initial appointments to the housing and health

services coordination council, the governor shall appoint two

members to serve a term expiring September 1, 2011, three members to

serve a term expiring September 1, 2013, and three members to serve

a term expiring September 1, 2015.

SECTION 3. Not later than September 1, 2010, the housing and

health services coordination council shall submit the first report
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1 of the council's findings and recommendations as required by
2 Subchapter NN, Chapter 2306, Government Code, as added by this Act.
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4 SECTION 4. This Act does not make an appropriation. A
5 provision in this Act that creates a new governmental program,
6 creates a new entitlement, or imposes a new duty on a governmental
7 entity is not mandatory during a fiscal period for which the
8 legislature has not made a specific appropriation to implement the
9 provision.

10 SECTION 5. This Act takes effect September 1, 2009.
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David Dewhurst
President of the Senate

I hereby certify that S.B. No. 1878 passed the Senate on April 22, 2009, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 31, Nays 0.

Joe Straus
Speaker of the House

Betsy Jordan
Secretary of the Senate

I hereby certify that S.B. No. 1878 passed the House, with amendment, on May 18, 2009, by the following vote: Yeas 89, Nays 51, one present not voting.

Robert Heinen
Chief Clerk of the House

Approved:

19 JUN '09

Date

Rick Perry
Governor

Filed in the Office of the Secretary of State
2:50 P.M. 19 Jun 09

Colin Stewart