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Chapter 838

1 AN ACT

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

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

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

8 SUBCHAPTER NN. HOUSING AND HEALTH SERVICES COORDINATION COUNCIL

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

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

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

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

18 (1) the director;

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

21 (A) the Office of Rural Community Affairs;

22 (B) the Texas State Affordable Housing  
23 Corporation;

24 (C) the Health and Human Services Commission;

- 1                    (D) the Department of Assistive and  
2 Rehabilitative Services;
- 3                    (E) the Department of Aging and Disability  
4 Services; and
- 5                    (F) the Department of State Health Services;
- 6                    (3) one representative from the Department of  
7 Agriculture who is:
- 8                    (A) knowledgeable about the Texans Feeding  
9 Texans and Retire in Texas programs or similar programs; and
- 10                    (B) appointed by the head of that agency;
- 11                    (4) one member who is:
- 12                    (A) a member of the Health and Human Services  
13 Commission Promoting Independence Advisory Committee; and
- 14                    (B) appointed by the governor; and
- 15                    (5) one representative from each of the following  
16 interest groups, appointed by the governor:
- 17                    (A) financial institutions;
- 18                    (B) multifamily housing developers;
- 19                    (C) health services entities;
- 20                    (D) nonprofit organizations that advocate for  
21 affordable housing and consumer-directed long-term services and  
22 support;
- 23                    (E) consumers of service-enriched housing;
- 24                    (F) advocates for minority issues; and
- 25                    (G) rural communities.
- 26                    (c) A member of the council appointed under Subsection  
27 (b)(2) must have, subject to the approval of the head of the agency,

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1 authority to make decisions for and commit resources of the agency  
2 that the member represents and must have:

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

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

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

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

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

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

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

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

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

24 Sec. 2306.1095. COMPENSATION AND REIMBURSEMENT. (a) A  
25 member of the council who is appointed by the governor may not  
26 receive compensation for service on the council. The member may  
27 receive reimbursement from the department for actual and necessary

1 expenses incurred in performing council functions as provided by  
2 Section 2110.004.

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

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

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

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

14 (A) regulatory requirements and limitations;

15 (B) administrative limitations;

16 (C) limitations on funding; and

17 (D) ineffective or limited coordination;

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

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

25 (A) the cross-education of staff;

26 (B) coordination among those entities; and

27 (C) opportunities to increase local efforts to

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1 create service-enriched housing; and

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

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

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

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

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

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

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

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

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

25 (1) identify sources of funding from this state and  
26 the federal government that may be used to provide integrated  
27 housing and health services;

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- 1           (2) determine the requirements and application  
2 guidelines to obtain those funds;
- 3           (3) provide training materials that assist the  
4 development and financing of a service-enriched housing project;
- 5           (4) provide information regarding:
  - 6               (A) effective methods to collaborate with  
7 governmental entities, service providers, and financial  
8 institutions; and
  - 9               (B) the use of layered financing to provide and  
10 finance service-enriched housing;
- 11           (5) create a financial feasibility model that assists  
12 in making a preliminary determination of the financial viability of  
13 proposed service-enriched housing projects, including models that  
14 allow a person to analyze multiuse projects that facilitate the  
15 development of projects that will:
  - 16               (A) address the needs of communities with  
17 different populations; and
  - 18               (B) achieve economies of scale required to make  
19 the projects financially viable;
- 20           (6) facilitate communication between state agencies,  
21 sources of funding, service providers, and other entities to reduce  
22 or eliminate barriers to service-enriched housing projects;
- 23           (7) provide training about local, state, and federal  
24 funding sources and the requirements for those sources;
- 25           (8) develop a database to identify, describe, monitor,  
26 and track the progress of all service-enriched housing projects  
27 developed in this state with state or federal financial assistance;

1           (9) conduct a biennial evaluation and include in the  
2 council's report to the governor and the Legislative Budget Board  
3 under Section 2306.1096 information regarding:

4                   (A) the capacity of statewide long-term care  
5 providers; and

6                   (B) interest by housing developers in investing  
7 in service-enriched housing;

8           (10) to increase the consistency in housing  
9 regulations, recommend changes to home and community-based  
10 Medicaid waivers that are up for renewal;

11           (11) research best practices with respect to  
12 service-enriched housing projects subsidized by other states; and

13           (12) create and maintain a clearinghouse of  
14 information that contains tools and resources for entities seeking  
15 to create or finance service-enriched housing projects.

16           SECTION 2. (a) As soon as possible after the effective  
17 date of this Act, the governor and the heads of the applicable state  
18 agencies shall appoint members to the housing and health services  
19 coordination council in accordance with Subchapter NN, Chapter  
20 2306, Government Code, as added by this Act.

21           (b) In making initial appointments to the housing and health  
22 services coordination council, the governor shall appoint two  
23 members to serve a term expiring September 1, 2011, three members to  
24 serve a term expiring September 1, 2013, and three members to serve  
25 a term expiring September 1, 2015.

26           SECTION 3. Not later than September 1, 2010, the housing and  
27 health services coordination council shall submit the first report

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S.B. No. 1878

1 of the council's findings and recommendations as required by  
2 Subchapter NN, Chapter 2306, Government Code, as added by this Act.

3       SECTION 4. This Act does not make an appropriation. A  
4 provision in this Act that creates a new governmental program,  
5 creates a new entitlement, or imposes a new duty on a governmental  
6 entity is not mandatory during a fiscal period for which the  
7 legislature has not made a specific appropriation to implement the  
8 provision.

9       SECTION 5. This Act takes effect September 1, 2009.



S.B. No. 1878

David Newhurst  
President of the Senate

Jim Strawn  
Speaker of the House

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.

Datsy Gau  
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 Hamey  
Chief Clerk of the House

Approved:

19 JUN '09

Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2PM O'CLOCK

JUN 19 2009

Colby Shuter III