

AN ACT

relating to a career ladder for interveners who provide services under the deaf-blind with multiple disabilities waiver program.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0973 to read as follows:

Sec. 531.0973. DEAF-BLIND WITH MULTIPLE DISABILITIES WAIVER PROGRAM: CAREER LADDER FOR INTERVENERS. (a) In this section, "deaf-blind-related course work" means educational courses designed to improve a student's:

(1) knowledge of deaf-blindness and its effect on learning;

(2) knowledge of the role of intervention and ability to facilitate the intervention process;

(3) knowledge of areas of communication relevant to deaf-blindness, including methods, adaptations, and use of assistive technology, and ability to facilitate a deaf-blind person's development and use of communication skills;

(4) knowledge of the effect that deaf-blindness has on a person's psychological, social, and emotional development and ability to facilitate the emotional well-being of a deaf-blind person;

(5) knowledge of and issues related to sensory systems and ability to facilitate the use of the senses;

1           (6) knowledge of motor skills, movement, orientation,  
2 and mobility strategies and ability to facilitate orientation and  
3 mobility skills;

4           (7) knowledge of the effect that additional  
5 disabilities have on a deaf-blind person and ability to provide  
6 appropriate support; or

7           (8) professionalism and knowledge of ethical issues  
8 relevant to the role of an intervener.

9           (b) The executive commissioner by rule shall adopt a career  
10 ladder for persons who provide intervener services under the  
11 deaf-blind with multiple disabilities waiver program. The rules  
12 must provide a system under which each person may be classified  
13 based on the person's level of training, education, and experience,  
14 as one of the following:

- 15           (1) Intervener;
- 16           (2) Intervener I;
- 17           (3) Intervener II; or
- 18           (4) Intervener III.

19           (c) The rules adopted by the executive commissioner under  
20 Subsection (b) must, at a minimum, require that:

- 21           (1) an Intervener:
  - 22           (A) complete any orientation or training course
  - 23 that is required to be completed by any person who provides direct
  - 24 care services to recipients of services under the deaf-blind with
  - 25 multiple disabilities waiver program;
  - 26           (B) hold a high school diploma or a high school
  - 27 equivalency certificate;

1                   (C) have at least two years of experience working  
2 with individuals with developmental disabilities;

3                   (D) have the ability to proficiently communicate  
4 in the functional language of the deaf-blind person; and

5                   (E) meet all direct-care worker qualifications  
6 as determined by the deaf-blind with multiple disabilities waiver  
7 program;

8                   (2) an Intervener I:

9                   (A) meet the requirements of an Intervener under  
10 Subdivision (1);

11                   (B) have at least six months of experience  
12 working with deaf-blind persons; and

13                   (C) have completed at least eight semester credit  
14 hours, plus a one-hour practicum in deaf-blind-related course work,  
15 at an accredited college or university;

16                   (3) an Intervener II:

17                   (A) meet the requirements of an Intervener I;

18                   (B) have at least nine months of experience  
19 working with deaf-blind persons; and

20                   (C) have completed an additional 10 semester  
21 credit hours in deaf-blind-related course work at an accredited  
22 college or university; and

23                   (4) an Intervener III:

24                   (A) meet the requirements of an Intervener II;

25                   (B) have at least one year of experience working  
26 with deaf-blind persons; and

27                   (C) hold an associate's or bachelor's degree from

1 an accredited college or university in a course of study with a  
2 focus on deaf-blind-related course work.

3 (d) Notwithstanding Subsections (b) and (c), the executive  
4 commissioner may adopt a career ladder under this section based on  
5 credentialing standards for interveners developed by the Academy  
6 for Certification of Vision Rehabilitation and Education  
7 Professionals or any other private credentialing entity that the  
8 executive commissioner determines is appropriate.

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

13 SECTION 2. If before adopting rules under Section 531.0973,  
14 Government Code, as added by this Act, the executive commissioner  
15 of the Health and Human Services Commission determines that an  
16 amendment to this state's deaf-blind with multiple disabilities  
17 waiver under Section 1915(c) of the federal Social Security Act (42  
18 U.S.C. Section 1396n(c)) or other authorization from the federal  
19 Centers for Medicare and Medicaid Services or any other federal  
20 agency is necessary, the executive commissioner shall apply for and  
21 actively pursue the amendment or other authorization and may delay  
22 adopting rules under Section 531.0973, Government Code, as added by  
23 this Act, until the amendment or other authorization applied for  
24 under this section is granted.

25 SECTION 3. This Act takes effect September 1, 2009.

David Dewhurst

President of the Senate

Jim Strawn

Speaker of the House

I hereby certify that S.B. No. 63 passed the Senate on May 6, 2009, by the following vote: Yeas 31, Nays 0.

Patsy Saw

Secretary of the Senate

I hereby certify that S.B. No. 63 passed the House on May 14, 2009, by the following vote: Yeas 146, Nays 0, one present not voting.

Robert Haney

Chief Clerk of the House

Approved:

26 MAY '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

5 pm O'CLOCK

MAY 26 2009

Boye Rabin

Secretary of State