

AN ACT

relating to health care coverage and services and other infrastructures for employed persons with disabilities.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.02443 to read as follows:

Sec. 531.02443. WORK GROUP ON HEALTH CARE OPTIONS FOR CERTAIN PERSONS WITH DISABILITIES. (a) A work group is established to assist the commission in identifying, recommending, and developing policy options to improve access to health care coverage and services necessary to support increased employment of persons with disabilities in this state.

(b) The commissioner shall determine the number of members of the work group. The work group is composed of the following:

(1) representatives of the commission, appointed by the commissioner;

(2) representatives of the Texas Department of Human Services, appointed by the commissioner of human services;

(3) representatives of the Texas Department of Mental Health and Mental Retardation, appointed by the commissioner of mental health and mental retardation;

(4) representatives of the Texas Department of Insurance, appointed by the commissioner of insurance;

(5) representatives of the Texas Workforce

1 Commission, appointed by the executive director of that agency;

2 (6) representatives of the Texas Rehabilitation  
3 Commission, appointed by the commissioner of that agency;

4 (7) representatives of the Texas Commission for the  
5 Blind, appointed by the executive director of that agency;

6 (8) representatives of local workforce development  
7 boards, appointed by boards specified by the commissioner;

8 (9) representatives of the comptroller's office,  
9 appointed by the comptroller;

10 (10) persons with disabilities, including persons  
11 with mental illness or mental retardation, who are employed or have  
12 employment goals, appointed by the commissioner; and

13 (11) advocates for persons with disabilities,  
14 including advocates for persons with mental illness or mental  
15 retardation, appointed by the commissioner.

16 (c) The commissioner shall designate a member of the work  
17 group to serve as presiding officer. The members of the work group  
18 shall elect any other necessary officers.

19 (d) The work group shall meet at the call of the  
20 commissioner.

21 (e) A member of the work group serves at the will of the  
22 appointing official or entity.

23 (f) A member of the work group may not receive compensation  
24 for serving on the work group but is entitled to reimbursement for  
25 travel expenses incurred by the member while conducting the  
26 business of the work group as provided by the General  
27 Appropriations Act.

1           (g) The work group shall examine options for access to  
2 health care coverage and services for employed persons with  
3 disabilities in this state. In examining those options, the work  
4 group shall determine:

5           (1) the extent to which employers with employment  
6 opportunities generally available to persons with disabilities,  
7 including full-time and all levels of part-time opportunities,  
8 offer health insurance or other health benefits coverage to their  
9 employees;

10           (2) the types and adequacy of benefits related to the  
11 health care needs of employed persons with disabilities that are  
12 provided through health insurance or other health benefits coverage  
13 offered by their employers;

14           (3) Medicaid services utilization by persons with  
15 disabilities and cost data necessary to project the potential  
16 savings to the Medicaid program if those persons were provided  
17 health insurance or other health benefits coverage and supplemental  
18 Medicaid disability-related benefits not covered by that health  
19 insurance or other health benefits coverage;

20           (4) the use in this state of existing employment  
21 incentive programs under the Supplemental Security Income (SSI)  
22 programs (42 U.S.C. Section 1381 et seq.), as amended, and Social  
23 Security disability insurance programs, including extended  
24 Medicaid coverage, and factors related to improved use of these  
25 programs to increase employment of persons with disabilities;

26           (5) the potential for increased use of the health  
27 insurance premium payment reimbursement program for medical

1 assistance recipients under Section 32.0422, Human Resources Code,  
2 or other cost-sharing assistance options to enable employed persons  
3 with disabilities to receive health insurance or other health  
4 benefits coverage provided by employers; and

5 (6) the projected impact on the rate of employment of  
6 persons with disabilities of implementing a Medicaid buy-in program  
7 as authorized by the Ticket to Work and Work Incentives Improvement  
8 Act of 1999 (Pub. L. No. 106-170), as amended, or the Balanced  
9 Budget Act of 1997 (Pub. L. No. 105-33), as amended, including:

10 (A) the impact experienced in other states after  
11 implementing buy-in programs; and

12 (B) an estimate of Medicaid recipients with  
13 disabilities who would otherwise lose Medicaid eligibility as a  
14 result of increased income from employment.

15 (h) Based on the determinations under Subsection (g), the  
16 work group shall develop a proposal for a Medicaid buy-in program  
17 for this state, including eligibility and premium or other  
18 cost-sharing policies.

19 (i) The work group shall report its determinations under  
20 Subsection (g) and the proposal required by Subsection (h) to the  
21 commission. The commission, with the assistance of the work group,  
22 shall compile the information and prepare a report regarding  
23 policy options to improve access to health care coverage and  
24 services necessary to support increased employment of persons with  
25 disabilities in this state. Not later than November 1, 2004, the  
26 commission shall submit the report to the legislature.

27 (j) This section expires September 1, 2005.

1           SECTION 2. The Health and Human Services Commission shall  
2 use the federal grant awarded to the commission in 2001 under the  
3 Ticket to Work and Work Incentives Improvement Act of 1999 (Pub. L.  
4 No. 106-170), as amended, to support the design, establishment, and  
5 operation of infrastructures in this state that provide support  
6 services for employed persons with disabilities. The commission  
7 shall actively pursue the award of additional grants under that  
8 Act.

9           SECTION 3. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2003.

David Newburn

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 3484 was passed by the House on April 24, 2003, by a non-record vote.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 3484 was passed by the Senate on May 20, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Spaw  
Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:50 PM O'CLOCK

JUN 20 2003  
Kevin Shea  
Secretary of State