

Texas Legislative Update

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Agenda

85th Regular Session

- The Budget
- Legislation
 - State Supported Living Centers
 - Community Living
 - Employment
 - Education

86th Regular Session

- Interim Charges
- LARs

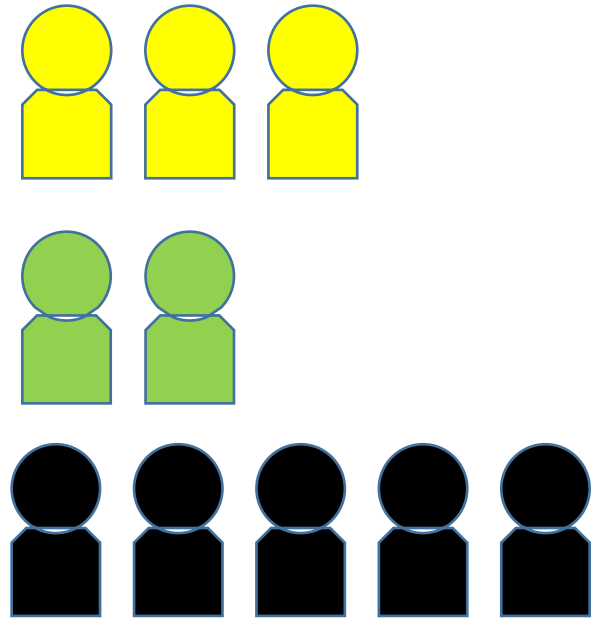


Who is TCDD?

Governor appoints 27 members

AT LEAST 60% of the members are:

- adults with developmental disabilities
- OR**
- family members of people with developmental disabilities
- One person must live in or must have lived in an institution in the past.



Who is TCDD?

Five members represent state agencies:

- The Older Americans Act - HHSC
- Title V of the Social Security Act - DSHS
- Title XIX of the Social Security Act - HHSC
- The Rehabilitation Act of 1973 - TWC
- The Individuals with Disabilities Education Act - TEA
- **Two** members represent a local non-governmental organization



Current Members



What We Do

- **Advocacy:** Telling others about issues, needs, and possible solutions.
- **Capacity Building:** Helping communities and other groups build their resources.
- **Systems Change:** Changing the way government programs, state agencies, and other organizations do business every day to improve support for people with disabilities.

What Does That Mean?

- Statewide grants and demonstration projects
- Community capacity building and partnerships
- Leadership and advocacy training
- Research, education on I/DD
- Policy analysis
- Promote systems change
- “Nothing about us without us”



How Many Texans?

- Between 2014-2016, the rates of developmental disabilities increased from 5.67% to **6.99%**
- Autism and intellectual disabilities remained steady

Approximately 1,947,400 Texans



Connect with Us!

- Public Policy Analysis and Input
- Resources and Fact Sheets
- Advocacy Opportunities
- Funding Opportunities
- Statewide Grant Projects
- Leadership and Advocacy Training
- Become a Council Member



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A Look Back at 85th Session Outcomes



Rate Reductions

- Home and Community-based Services (HCS)
- Texas Home Living (TxHmL)
- Pediatric Acute Therapy Rates

Early Childhood Intervention (ECI)

| Early Childhood Intervention | | | |
|---------------------------------|----------|-----------|----------|
| | 2017 | 2018-2019 | % change |
| Average Monthly Children Served | 27,170 | 35,016 | 29% |
| Average Monthly Cost Per Child | \$437.02 | \$412.60 | -5.60% |

Promoting Independence

| Promoting Independence Groups | Number of people | Final |
|--|------------------|-------|
| HCS for People Moving from Large ICFs & SSLCs | 500 | 325 |
| HCS for Youth Aging out of Foster Care (CPS) | 236 | 110 |
| HCS for Persons at Imminent Risk of Entering an ICF | 400 | - |
| HCS for People with IDD Moving from State Hospitals | 120 | - |
| HCS for Children Moving from a general residence operations (GRO) facility (CPS) | 40 | - |
| HCS for People with IDD moving from nursing facilities | 700 | 150 |
| HCS for People with IDD at risk of entering a nursing facility | 600 | 150 |

Home and Community-based Services (HCS)

| Home and Community-based Services (HCS) | | | |
|---|-----------------|-----------------|---------------------|
| | 2016 | 2017 | 84th Biennial Total |
| Money | \$1,081,380,184 | \$1,211,979,830 | \$2,293,360,014 |
| People | 25,387 | 28,091 | |
| | 2018 | 2019 | 85th Biennial Total |
| Money | \$1,080,402,750 | \$1,140,434,931 | \$2,220,837,681 |
| People | 26,357 | 26,723 | |

State Supported Living Centers (SSLCs)

| State Supported Living Centers | | | |
|--------------------------------|---------------|---------------|---------------------|
| | 2016 | 2017 | 84th Biennial Total |
| Funding | \$686,316,905 | \$679,575,730 | \$1,365,892,635 |
| Residents | 3,013 | 2,795 | |
| | 2018 | 2019 | 85th Biennial Total |
| Funding | \$682,083,568 | \$634,028,777 | \$1,316,112,345 |
| Residents | 2,907 | 2,794 | |

State Supported Living Centers

Recommendations

1. Set expectation for fewer SSLCs and to bring services up to accepted professional standards of care for those remaining in SSLCs.
2. Develop and implement an SSLC peer support program for individuals with IDD to foster supported decision-making and encourage self-determination.
3. Expand and improve quality home and community-based services as the primary way to address the increased demands for services in our state.

Bills

- **HB 1153 – Prohibiting handguns on SSLC campuses**
- SB 546 – SSLC water monitoring
- SB 547 – Sale of SSLC services to people in the community
- **SB 602 – Restructuring commission for closure and consolidation**

Community Living

Recommendations

1. Reduce the interest lists.
2. Rebalance the system serving Texans with IDD by transitioning people to the community, transferring the funds to support people to be included in their communities.

Bills

- **HB 118 – Personal Needs Allowance**
- **SB 2168 – improve day hab**
- **SB 547 – Sale of SSLC services to people in the community**
- **SB 602 – SSLC restructuring commission**

Employment

Recommendations

1. Eliminate subminimum wage contracts from the state use program.
2. Phase out subminimum wage for people with disabilities.
3. Continue EFTF and implement Employment First at the program level.
4. Expand higher education opportunities.

Bills

- SB 455 – To extend the Employment First Task Force
- HB 2409 – prohibit subminimum wage in state use
- HB 1527 – HUB status for businesses owned by people with disabilities

Education

Recommendations

1. Eliminate the performance indicator that negatively impacted schools providing special education services to more than 8.5% of students.
2. Provide inclusive education.
3. Improve transition.

Bills

- SB 160 – Eliminate 8.5% cap on students using special education services
- **SB 3 – Vouchers**
- SB 748 – Transition: Adds alternatives to guardianship and other HHS services to transition process and guide

Looking Forward to the 86th



Interim Charges

1. Early Childhood Intervention Program
2. Educator Preparation Programs
3. High Quality Education Expansion Opportunities
4. Medicaid Managed Care Quality and Compliance
5. Medicaid Managed Care Quality and Improvement
6. Medicare and Medicaid Housing and Natural Disasters
7. Students with Disabilities in Public Schools

HHSC LAR

- Moving children and other residents from institution to community
- Interest List Reduction
- HCBS and Day Habilitation
- Rates for Direct Support Professionals
- Rates for Early Childhood Intervention and Therapy
- Crisis in Behavioral Health and IDD
- Provider Training

IDD and Managed Care

SB 7 directed HHSC to implement a system of acute care services and LTSS for individuals with IDD “in the manner and in the stages” described in statute:

- measured, incremental change
- evaluations and analyses of system changes
- determinations by HHSC regarding certain transitions
- substantial stakeholder involvement
- protective provisions designed to acknowledge distinct, lifelong needs of people with IDD

Challenges and Opportunities

- Not your usual stakeholder involvement
- Managed care and IDD
- Federal and state pressure on education system
- HCBS conversations about community integration and “meaningful days”
- Employment and workforce initiatives
- Advocacy at all levels



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