

- SUBJECT:** Community living options information process for state school residents
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 7 ayes — Rose, S. King, J. Davis, Eissler, Herrero, Naishtat, Pierson
0 nays
2 absent — Hughes, Parker
- SENATE VOTE:** On final passage, April 19 — 29-0
- WITNESSES:** For — Susanne Elrod, Texas Council of Community MHMR Centers; Jeff Garrison-Tate, Advocacy, Incorporated; Norin Jaloway Gill, Arc of Texas; Susan Payne; (*Registered, but did not testify*: Private Providers Association of Texas)

Against — None
- BACKGROUND:** The Department of Aging and Disability Services (DADS) administers programs for people with mental retardation and regulates the provision of services at state schools. State schools are structured residential facilities that provide clients with mental retardation a variety of services, including medical treatment, specialized therapy, and training in the acquisition of personal, social, and vocational skills.
- Local mental retardation authorities (MRAs) are entities to which regional authority is delegated for planning, policy development, coordination, and resource development for services for persons with mental retardation. MRAs are to supervise service provision and ensure services are provided in the most appropriate and available setting to meet individual needs.
- The community living options information process is a means of informing persons with mental retardation who reside in an institution and their legally authorized representatives of alternative community living options. Specifically, DADS implements the community living options information process in Intermediate Care Facilities for the Mentally

Retarded (ICF-MRs) and in 24-hour residential care facilities for persons with mental retardation.

DIGEST:

SB 1870 would require DADS to contract with local MRAs to implement the community living options information process for mentally retarded residents of state schools who were at least 22 years old. The contract would:

- delegate DADS' duties to implement the community living option information process at state schools;
- include performance measures designed to assist DADS in evaluating the effectiveness of the process; and
- ensure that service coordination and relocation services were provided to an adult state school resident who chose to transition to a community living option.

DADS would have to develop an effective community living options information process creating uniform procedures to implement the process. DADS would have to minimize potential conflicts of interest between state school residents, their legally authorized representatives, and the local MRA.

A state school would have to:

- allow the local MRA to participate in the interdisciplinary planning process for the community living options for an adult resident;
- provide the MRA with access to adult residents and their records to the extent legally permissible; and
- provide adult residents and their legally authorized representative with accurate information regarding the risks of moving the resident to a community living option.

The bill would take effect September 1, 2007. Program implementation could be delayed if the state determined that a federal waiver or authorization would need to be obtained to implement the program.

NOTES:

The fiscal note indicates a cost of \$7.1 million to general revenue in fiscal 2008-09. The largest cost would be payment for the salary, benefits, and travel for 61.5 additional Service Coordinator FTEs.