

BILL ANALYSIS

Senate Research Center

H.B. 1541
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The documented mental health workforce shortage in Texas indicates the need for greater access to peer specialists, who assist patients on the road to recovery from debilitating and unfavorable behaviors. Proponents of peer specialists assert that the services provided by these professionals help prevent relapses and decrease the need for other types of services in the future. While these services are recognized at the local level, interested parties contend that recognizing peer services at the state level would increase the quality of available services and use the skills of those already serving patients at the local level.

H.B. 1541 amends the Human Resources Code to require the Health and Human Services Commission (HHSC) rules and standards governing the scope of services provided under the Medicaid program to include peer services provided by certified peer specialists to the extent permitted by federal law. The bill requires HHSC to establish a separate provider type for peer specialists for purposes of enrollment as providers of and reimbursement under Medicaid.

H.B. 1541 amends the Government Code to require HHSC to develop and the executive commissioner of HHSC to adopt rules that establish training requirements for peer specialists so that they are able to provide services to persons with mental illness and services to persons with substance abuse conditions; rules that establish certification and supervision requirements for peer specialists; rules that define the scope of services that peer specialists may provide; rules that distinguish peer services from other services that a person must hold a license to provide; and any other rules necessary to protect the health and safety of persons receiving peer services. The bill requires the rules to be developed and adopted with input from peer specialists, state-approved organizations that certify peer specialists, and other relevant stakeholders.

H.B. 1541 requires the executive commissioner to adopt the required rules as soon as practicable after the bill's effective date and requires HHSC to establish and implement a separate provider type for peer specialists as soon as practicable after that date.

H.B. 1541 amends current law relating to peer specialists, peer services, and the provision of those services under the medical assistance program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 531.0999, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.0999, as follows:

Sec. 531.0999. PEER SPECIALISTS. Requires the Health and Human Services Commission (HHSC) to develop and the executive commissioner of HHSC (executive commissioner) to adopt, with input from peer specialists, state-approved organizations that certify peer specialists, and other relevant stakeholders:

- (1) rules that establish training requirements for peer specialists so that they are able to provide services to persons with mental illness and services to persons with substance use conditions;
- (2) rules that establish certification and supervision requirements for peer specialists;
- (3) rules that define the scope of services that peer specialists may provide;
- (4) rules that distinguish peer services from other services that a person must hold a license to provide; and
- (5) any other rules necessary to protect the health and safety of persons receiving peer services.

SECTION 2. Amends Section 32.024, Human Resources Code, by adding Subsections (nn) and (oo), as follows:

(nn) Requires HHSC in its rules and standards governing the scope of services provided under the medical assistance program to include peer services provided by certified peer specialists to the extent permitted by federal law.

(oo) Requires HHSC to establish a separate provider type for peer specialists for purposes of enrollment as providers of and reimbursement under the medical assistance program.

SECTION 3. Requires the executive commissioner to adopt the rules required by Section 531.0999, Government Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 4. Requires HHSC to establish and implement a separate provider type for peer specialists as required by Section 32.024(oo), Human Resources Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 5. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 6. Effective date: upon passage or September 1, 2015.