**HEALTH AND HUMAN SERVICES COMMISSION**

Exofficio Report to Governor's Committee on People with Disabilities

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## Executive Summary

### Renewal of Determination That A Public Health Emergency Exists

Because of the continued consequences of the Coronavirus Disease 2019 (COVID-19) pandemic, Xavier Becerra, Secretary of Health and Human Services, renewed the Public Health Emergency on January 16, 2022 with a new expiration date of April 2022. The Health and Human Services Commission (HHSC) is working closely with state and federal partners to ensure essential services continue while ensuring service delivery stays within state and local guidelines for COVID-19. HHSC has a website dedicated to COVID-19 information:

- HHSC COVID-19 Communications

### ARPA FMAP

HHSC obtained final approval on the proposed Texas Spending Plan from Centers for Medicare and Medicaid Services (CMS) on January 10, 2022. HHSC is finalizing their response to the Texas Legislative Budget Board to obtain transfer authority. For questions related to the ARPA FMAP, reach out to Medicaid_HCBS_Rule@hhsc.state.tx.us.

### Statewide Intellectual and Developmental Disabilities Strategic Plan

As developed by the stakeholder driven IDD Strategic Planning Group, the Statewide IDD Strategic Plan is a roadmap for a statewide and strategic approach for addressing gaps in IDD services and policy in the state of Texas. The plan is designed to increase awareness of the IDD population and gaps in policy, services, and funding which must be addressed to ensure optimal care is provided to individuals with IDD. It is now available on the HHS Reports and Presentations webpage.

### Aging Services AmeriCorps VISTA Project

The Texas Health and Human Services Commission has launched an AmeriCorps VISTA Project and is looking for people to join a nine-person team that will help to enrich the lives of older Texans and their caregivers. VISTA members in the Aging Services AmeriCorps VISTA project will work to enhance aging services and programs throughout HHSC. The selected members will work in offices across HHSC on projects that strengthen cross-coordination among offices serving older adults, improve understanding of aging related issues and needs, and increase capacity to provide services for older adults in Texas. They will gain experience in aging services, public health, partnership building, community engagement and will have

the opportunity to gain professional experience while working in a state government setting.

HHSC is seeking applicants for the following positions:

- Medicaid CHIP Services
- Special Projects Unit
- Adult Mental Health
- Family Violence Program
- Aging Services Coordination Leader (Note: This position requires one year of previous AmeriCorps VISTA or national service experience.)
- Aging Services Coordination
- Disability Services Coordination

AmeriCorps VISTA members have a chance to live and serve in the community and focus area of their choice. For a one-year commitment, VISTA members receive a modest living allowance, a $6,095 education award (to put towards education expenses like student loans), health and childcare coverage, and many more benefits. For general information about AmeriCorps VISTA, visit https://americorps.gov/serve/fit-finder/americorps-vista.

To find out more about the Aging Services AmeriCorps VISTA member positions click on each posting above and reach out to Claire Irwin (claire.irwin@hhs.texas.gov) with any questions.

## Behavioral Health Peer Service Providers Survey

The Texas Health and Human Services Commission (HHSC) developed a survey to assess utilization of peer service providers in community organizations throughout Texas. Peer support is encouragement and assistance from someone with the lived experience of recovery from a mental health condition, substance use disorder, or both who provides support to others experiencing similar challenges to achieve long-term recovery.

HHSC is requesting administrators as opposed to staff take the survey. As an administrator (e.g. Director of Behavioral Health or Clinic Administrator), your insight will help HHSC understand organizational opportunities and challenges associated with peer service providers within a community organization.

This survey will take less than 10 minutes to complete.

If you have any questions, email AllTexasAccess@hhs.texas.gov.

Take Survey.

## 3G Shutdown

Cell service providers will soon shut down their 3G networks. This shutdown will affect older devices made for the 3G network, including phones, tablets, smart watches and certain medical devices. It is important that people are aware of this shutdown so they can find ways to continue communicating during the ongoing pandemic.

The Federal Communications Commission developed a consumer guide (PDF) with more information about the shutdown and urges customers of **any network** to contact their carrier for more information. Many carriers are also offering free or low-cost replacement phones or devices.

Additionally, through collaboration with HHSC's Aging Services Coordination office and Office of Disability Services Coordination, the Governor's Committee on People with Disabilities, and the University of Texas at Austin Texas Technology Access Program, a resources webpage with information on obtaining internet and internet-capable devices was developed.

## Organizational Changes

### Chief Medicaid and CHIP Services

On October 14, 2021, HHSC announced the Medicaid and CHIP Services division will transition to a separate division operated under the State Medicaid Director as a Chief-level position reporting directly to the Executive Commissioner. Stephanie Stephens commented, "Medicaid and CHIP Services remains focused on our mission to deliver quality cost-effective services to Texans."

### Chief Program and Services Office Realignment

In 2016, the Health and Human Services system underwent a major reorganization which consolidated client services from several state agencies to HHSC along functional lines. Since then, HHSC has been able to assess the effects of those changes.

Based on lessons learned, the Chief Program and Services Office (CPSO) is in the process of realigning some structures within the division to better meet goals for people with disabilities, women and families, and older adults. The realignment will make it easier for people to find the services they need and for HHSC to better meet the needs of the whole person by strengthening coordinated supports and providing clear lines of accountability.

The first step is underway by conducting an internal review of CPSO programs to identify potential changes. Once CPSO has gathered that information, CPSO will seek input from stakeholders and will share updates on the process.

## Follow-Up from Previous GCPD Meeting

### Money Follows the Person Demonstration Projects

Below is a list of the current Money Follows the Person Demonstration projects.

| | |
|---|---|
| SSLC Transition Specialists | SSLC Living Options Specialists |
| Behavioral Health Pilot | Relocation Contractor QMS |
| Employment Services Coordinator | Reasonable Accommodation Training |
| ADRC MDS 3.0 (LCA) | ADRC Housing Navigator |
| Enhanced Community Coordination | Transitional Support Teams |
| Ventilator and Respiratory Health Optimization | Regional Housing Navigator Summits |
| Community Employment Apprenticeship Pilot | Electronic Tablets to Assist with Employment Transitions |
| Person Centered Practices Training | Affordable Housing Partnership |
| Music and Memory Pilot | Integrated Meaningful Day |
| Supportive housing Specialist | interRAI Algorithm Development |
| Managed Care Organization Transition Specialist | Texas Department of Housing and Community Affairs Staff/Risk Mitigation |

### Rider 83 Highlight

In accordance with the 2022-23 General Appropriations Act, Senate Bill 1, 87th Legislature, Regular Session (2021), Texas Health and Human Services Commission (HHSC) is required to submit an annual report on the Independent Living Services (ILS) Program. The report included the following data elements and can be located on the reports page at https://www.hhs.texas.gov/regulations/reports-presentations:

- Individuals seeking services;
- Individuals who received services;
- Individuals who achieved an independent living (IL) outcome;

- Demographic data of individuals receiving services from the purchased services contracts; and

Funds awarded and expended each year

## Early Childhood Intervention (ECI)

- *Does the funding reflect per child? What is the underlying explanation for the downward trend on the graph?* Yes, this graph represents per child funding levels. The downward trend is due to caseload growth outpacing available funding.

## Proposition 6 – SJR 19

Senate Joint Resolution (SJR) 19 proposes a constitutional amendment establishing that residents of certain facilities have the right to designate an essential caregiver with whom the facility may not prohibit in-person visitation. The proposed amendment would apply to a nursing facility, assisted living facility, intermediate care facility for individuals with an intellectual disability, residence providing home and community-based services, or state supported living center. The proposed amendment also would authorize the legislature to provide guidelines for these facilities to follow in establishing essential caregiver visitation policies and procedures.

Former Chief Policy and Regulatory Officer Victoria Ford testified in front of Senate Health and human Services on March 10, 2021 during the 87th Regular Session on SJR 19. The testimony begins at about 2:39:00 at the following link: https://tlcsenate.granicus.com/MediaPlayer.php?clip_id=15441

### Emergency Planning, Preparedness, and Recovery

HHSC Office of Disability Services Coordination (ODSC) has participated on the Emergency Preparedness subcommittee hosted by Disability Rights Texas and GCPD following Winter Storm Uri. On behalf of the subcommittee, ODSC partnered with Department of State Health Services (DSHS) to ensure that the subcommittee's initiative of developing a specialized emergency preparedness form that would be applicable for people with disabilities would be reviewed and potentially implemented. The subcommittee is continuing to work towards a final product and then ODSC will assist DSHS with the adoption process.

ODSC acknowledges that there is a need for a systems-level mapping of how HHSC navigates disasters. This is a project that ODSC continues to work on.

Lastly, ODSC acknowledges there is an outstanding question from GCPD about whether battery powered backup for durable medical equipment is covered as an allowable expense. HHSC continues to work with CMS to explore the option.

## COVID-19 Vaccination and Continued Response

COVID-19 virus is a highly contagious infectious disease. Most people who contract COVID-19 will experience respiratory symptoms similar to the cold, a flu or pneumonia - however, older adults and people with underlying medical issues like cardiovascular disease, diabetes, chronic respiratory disease, and cancer are more likely to develop serious illness. Developing serious illness due to COVID-19 means potentially needing hospitalization, intensive care, a ventilator (to help you breathe), or death. Getting vaccinated is the best way to protect against COVID-19.

When virus' spread, they can mutate into different strains or variants. Since its immergence, multiple strains of COVID-19 have developed with the Delta variant being the predominant strain in the US. The Delta variant is more contagious, and data suggests it may cause more severe illness in unvaccinated people than other strains. Breakthrough infections of the Delta variant can happen in people who have been vaccinated, however people fully vaccinated who contract the Delta variant are more likely to have mild to moderate symptoms.

### Take care of yourself!

The Texas Department of State Health Services COVID-19 vaccination tracker[i] shows that as of August 13, 2021:

- 53.72% of Texans 12 and older have been fully vaccinated.
- 75.49% of Texans 65 and older have been fully vaccinated.

COVID-19 is spread when an infected person breathes out droplets containing virus particles that can then be breathed in by other people or land in their eyes, nose or mouth. It is highly contagious with the Delta variant spreading faster and causing more infections than the COVID-19 virus but there are things you can do to protect yourself and your loved ones! The Centers for Disease Control and Prevention recommend the following safety measures:

- Get vaccinated
- Wear a mask
- Stay six feet away from others
- Avoid crowds and poorly ventilated spaces
- Wash your hands often
- Cover coughs and sneezes
- Clean and disinfect high touch surfaces daily.
- Monitor your health daily by watching for COVID-19 symptoms

Texas Health and Human Services is committed to connecting older adults and people with disabilities - including people who are homebound or have limited transportation options - with resources for accessing COVID-19 vaccinations.

There are many ways to get vaccinated in Texas— you don't need health insurance or an ID, the vaccine is free.

**Resources**

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- **State Mobile Vaccine Program** provides a way for Texas businesses and people who are homebound to schedule mobile vaccinations.
  - *Texas businesses or civic organizations* with five or more employees, visitors, or members who voluntarily choose to be vaccinated. Call 844-90-TEXAS (844-908-3927) and select Option 3 to schedule a visit from a state mobile vaccine team.
  - *Texans who are homebound* can call the same number and select **Option 1** to request a state mobile vaccination team to come to their home.
- **Texas Public Health Vaccine Scheduler** The new Texas Vaccine Scheduler helps Texans get scheduled for a COVID-19 vaccine at clinics hosted by participating Texas public health entities. Register online at GetTheVaccine.dshs.texas.gov and you will be notified by email or text on the specifics to get the vaccine. If there's not a clinic near you, you will be directed to other sites to get a vaccine.
- **Disability Rights Texas Hotline (DRTx Vaccine Hotline)** provides assistance to people with disabilities needing assistance in accessing

COVID-19 vaccine. Contact the DRTx Vaccine Hotline at 1-800-880-8401 or email at **vaccine@DRTx.org**.

- **Vaccines.gov** is the Centers for Disease Control and Prevention (CDC) website that provides an array of options to help people find local vaccines including a search option on the website, a tollfree line for people with limited/no internet and a text option.
  - Visit Vaccines.gov to search for a vaccine.
  - Call toll free: 1.800.232.0233 (TTY 888.720.7489)
  - Text your ZIP code to
    - **GETVAX** (438829) for English
    - **VACUNA** (822862) for Spanish
- **Disability Information and Access Line (DIAL)** 888-677-1199 is a toll free national hotline that connects callers with information on accessing the COVID-19 vaccine and related supports for people with disabilities.
- **Retail Pharmacy Program** is a federal program that is doubling the amount of pharmacies receiving the vaccine. Visit CDC's Federal Retail Pharmacy Program website to find out which pharmacies are participating.
- Transportation Assistance through Lyft and Uber.
  - **Lyft** is providing ride codes specifically for older adults for up to $25 (each way) to their vaccine appointment. Older adults can use **SENIORVAX1** when scheduling a ride for their first dose and **SENIORVAX2** when scheduling a ride for their second dose.
  - **Uber** is offering up to $25 for rides (each way) to vaccination sites. Visit https://www.uber.com/us/en/coronavirus/ to learn more about scheduling a ride to a vaccination site.

For a full list of tools and resources to help you or someone you know sign up to receive a vaccine visit Texas Department of State Health Services COVID-19 Vaccine Information.

## HHS Program Response to COVID-19

HHS continues to respond to COVID-19 and the public health emergency. For more information about COVID-19, call 2-1-1 and select Option 6; visit https://www.hhs.texas.gov/services/health/coronavirus-covid-19; or visit the HHSC COVID-19 Medicaid-CHIP People Receiving Services webpage.

### State Supported Living Centers (SSLC)

#### *SSLC Vaccinations*

SSLCs continue efforts to administer COVID-19 vaccines for residents and staff, particularly for newly admitted residents, new hires, and people who have changed

their mind about being vaccinated. Additionally, a booster dose is being offered to those who meet criteria.

### *Routine Operations During COVID*

During the last six months of 2021, SSLCs returned to more normalized operations. Activities included in-person medical consultations, clinic visits for preventative care, increased outings into the community, off-site work programs, promoting community transitions, and working to remove community placement barriers.

Beginning in the last week of December 2021, SSLCs started experiencing an increase of positive cases with residents and staff. Consistent with previous efforts, SSLCs are adjusting infection control measures as required. These measures include increasing staff testing frequency, resident testing requirements, personal protective equipment usage, and education to families/guardians on visitation expectations. In recent weeks, SSLCs re-opened isolation and quarantine spaces to limit the amount of COVID-19 exposure. SSLCs will continue to monitor infection rates and curtail operations as appropriate to ensure a healthy and safe environment including limiting visitation to essential caregivers when community transition rates are in the substantial-high range

## State Hospitals

### *State Hospital Vaccinations*

Since December 2020, the state hospitals have provided patients and staff the opportunity to receive the COVID-19 vaccine. This effort is ongoing for new patients and staff as well as for current patients and employees who may have initially declined to receive the vaccine but have now decided to receive it. Staff and patients who are eligible and interested in receiving a third dose of the COVID-19 vaccine will be provide the opportunity to receive a third dose or information about where one can be received.

### *Routine Operations During COVID-19*

The state hospitals have continued to actively monitor COVID-19 infection rates in the communities where the hospitals are located to ensure that staff testing for COVID-19 is being conducted at the appropriate frequency, the right type of personal protective equipment (PPE) is being used, and visitation allowances or limitations are implemented according to state hospital policies. In recent months, some state hospitals have had to re-open isolation and quarantine spaces to help limit the amount of COVID-19 exposure by patients and maintain sound infection control practices.

## HHS Program Level Updates

### Access and Eligibility Services (AES)

#### Texas 2-1-1 Texas Information and Referral Network (2-1-1 TIRN)

Texas 2-1-1/Texas Information and Referral Network (2-1-1 TIRN) is committed to helping Texas citizens connect with the services they need. An individual may access this program by phone or the internet. This resource strives to present accurate, well-organized, and easy-to-find information from state and local health and human services programs. 2-1-1 TIRN is a free, anonymous social service hotline, available 24 hours a day, 7 days a week, 365 days a year. 2-1-1 TIRN served approximately 433,996 callers from October 1, 2021 through December 31, 2021. Learn more at www.211texas.org.

#### Area Agencies on Aging (AAAs)

Area Agencies on Aging (AAAs) contracts with HHSC to provide services to help older adults remain in their homes and communities. AAAs are designated by statute and are housed within community-based non-profit organizations and local governments. While AAAs contract with for-profit vendors for certain services, such as congregate and home-delivered meals and transportation, they provide most services through partnerships with non-profit and faith-based organizations. During September through November 2021 (State Fiscal Year Quarter 1), 71,602 people received over 3.2 million meals through the congregate and home-delivered meals programs. The transportation service programs provided more than 76,702 trips to 3,139 people. More information on the AAAs is available on their webpage.

#### Aging and Disability Resource Centers (ADRCs)

Aging and Disability Resource Centers (ADRCs) support the Texas "No Wrong Door" system by serving as a key access point to person-centered, long-term services and supports needed to live independently in the community. The 28 ADRCs collaborate with AAAs, affordable housing coalitions, local service providers, food pantries, and other community-based organizations to provide information and referral services. In addition to information and referral services, ADRCs often subcontract with faith- and community-based organizations to provide respite care to family caregivers. ADRCs also ensure that faith- and community-based organizations are represented in their local advisory groups. During September 2021 through November 2021, the ADRCs assisted 13,381 callers and provided 2,217 hours or respite services to 44 individuals. More information about the ADRCs is available on their webpage.

### Community Attendant Services (CAS)

Community Attendant Services (CAS) offers non-technical, non-skilled, in-home attendant services to individuals with an approved medical need for assistance with personal care tasks. As of November 30, 2021, the CAS program served a total of 69,875 individuals. More information on CAS can be found at on their webpage.

### Consumer Managed Personal Attendant Services (CMPAS) Title XX

A Consumer Managed Personal Attendant Services (CMPAS) licensed agency offers personal assistance services to individuals with physical disabilities who are mentally and emotionally competent and able to supervise their attendant, or who have someone who can supervise the attendant for them. Individuals interview, select, train, supervise, and release their personal assistants. As of November 30, 2021, the CMPAS program served a total of 321 individuals. Information on CMPAS can be found on their webpage.

### Family Care (FC) Title XX

Family Care (FC) offers a non-skilled, nontechnical attendant care service to eligible adults who are functionally limited in performing activities of daily living. As of November 30, 2021, the FC program served a total of 4,632 individuals. Information on FC can be found on their webpage.

### Foster Grandparent Program (FGP)

The Foster Grandparent Program (FGP) serves a dual purpose. It provides income-eligible adults, age 55 and older, with meaningful volunteer opportunities while also meeting critical community needs by serving children with developmental delays or disabilities; visual hearing, or speech impairments; physical challenges; and children with other exceptional needs. Primarily funded by the AmeriCorps, FGP has been operating nationwide since 1965. There are 17 service areas in Texas, eight of which are administered by HHSC.

Since 2017, the FGP in Abilene has partnered with the Betty Hardwick Center, formerly known as City Adapt Recreation Center. This program is for people who have been diagnosed with a cognitive delay, are physically challenged, or both. The program provides self-help and the life skills necessary to live successfully in the community. During their service, FGP volunteers listen, assist, and participate in each skills activity, encouraging the children along the way. Volunteers also assist with their annual Special Olympics activities. More stories and information about FGP can be found on their webpage.

### Home Delivered Meals (HDM) Title XX

Home Delivered Meals (HDM) works with community-based provider agencies to deliver a nutritious meal to the eligible person's home to ensure they get at least one healthy meal per day. As of November 30, 2021, the HDM program was serving 18,240 individuals. Information on HDM can be found on their webpage.

### Primary Home Care (PHC)

Primary Home Care (PHC) offers nontechnical, non-skilled, in-home attendant services to individuals with an approved medical need for assistance with personal care tasks. PHC is available to eligible adults with a practitioner's statement of medical need, whose health problems cause them to be functionally limited in performing activities of daily living. As of November 30, 2021, the PHC program was serving 1,332 individuals. Information on PHC can be found their webpage.

## Aging Services Coordination (ASC)

### Aging Texas Well (ATW)

The Aging Texas Well (ATW) initiative helps Texans prepare for all aspects of aging at the individual, community, and state level. Established in 2005 by Executive Order R.P. 42, HHS is directed to identify and discuss policy issues, guide state government readiness, and promote increased community preparedness for an aging population through ATW. The order also created the ATW Advisory Committee which is comprised of stakeholders and experts in the field of aging who advise HHS and make recommendations to state leadership on implementation of ATW. The next quarterly ATWAC meeting is February 2, 2022. In accordance with Open Meetings Act requirements and allowing for COVID safety measures, meetings are transitioning to hybrid format to allow for both in-person and virtual attendance. Information about how to access ATWAC meetings can be found on the HHSC website.

In accordance with EO RP-42, the 22-23 ATW Strategic Plan will be submitted to the Governor and legislature. The 22-23 ATW Strategic Plan underwent modifications to modernize and ensure relevance with aging trends. Updates that inform the plan include a 2021 survey of older adults, their caregivers, and aging services providers identifying their issues which define the plans priorities of focus.

### Age Well Live Well (AWLW)

ASC has launched a new VISTA Project to strengthen HHSC cross-coordination among offices serving older adults, improve understanding of aging issues and needs, and increase capacity to provide services for older adults in Texas. The project will include a VISTA Member in eight offices across the agency, including,

but not limited to, the Office of Disability Services Coordination, the IDD-BH Adult Mental Health office, and the IDD-BH Special Projects Unit. These VISTA members will assist their respective offices on a variety of projects such as capacity building, partnership development, and marketing efforts.

### Senate Bill 1917 Implementation

Senate Bill 1917, relating to an awareness campaign on services for older adults with visual impairment, was passed during the 87th Regular Legislative Session and assigned to ASC. The bill tasks HHSC to create an awareness campaign, post aging and vision loss resources to its website, and designate a contact to assist with questions about programs, services, and resources for older adults with vision loss. ASC is working with other program areas, Texas Workforce Commission Older Individuals who are Blind program, and other state agencies to implement the bill elements. Feedback will also be sought from the stakeholder workgroup Vision Loss in Older Adults, which is comprised of stakeholders from across the state. ASC has met with HHSC Communications to develop a timeline and identify resources to be used for the campaign and the webpage.

## Health, Developmental and Independence Services (HDIS)

### Brain Injury Programs

The Office of Acquired Brain Injury (OABI) and Comprehensive Rehabilitation Services (CRS) work together as Brain Injury Programs (BIP) to provide continuity of care and ensure supports utilizing a person-centered, trauma informed, and a wraparound approach to service delivery. OABI will conduct an annual conference in March, "Resiliency and Adaptability", to commemorate Brain Injury Awareness month. The conference will begin on Thursday, March 3, 2022 from 10:00 a.m. – 12:00 p.m. and continue each Thursday throughout the month of March. Topics include Post Traumatic Stress, Realistic Progression in Recovery and Traumatic Brain Injuries and Self-Care. For more information, contact oabi@hhsc.state.tx.us.

The Texas Brain Injury Advisory Council (TBIAC) advises HHS on strategic planning, policy, rules, and services related to the prevention of brain injury, rehabilitation, and the provision of long term services and supports for persons who have survived brain injuries to improve their quality of life and ability to function independently in the home and community. The next quarterly meeting is on January 24, 2022.

### Children's Autism Program (CAP)

During fiscal year 2021, the Children's Autism Program (CAP) has served a total of 1,156 children with autism. As of December 2021, CAP has served 811 children in fiscal year 2022.

## Blind and Visually Impaired

### *Blindness Education, Screening, and Treatment*

The Blindness Education, Screening, and Treatment (BEST) program continues to provide treatment to prevent blindness. The program will begin focusing on improving awareness and strengthening outreach efforts through various marketing methods to increase eye care providers statewide for BEST participants. In fiscal year 2021, a total of 82 people were served with beneficial treatment services to prevent blindness, and the program screened the vision of 1,390 people through its contract with Prevent Blindness Texas.

### *Blind Children's Vocational Discovery & Development Program*

The Blind Children's Program (BCP) provides services to children and families to increase their overall independence and success. BCP supports families throughout their journey until they are confident and have the skills to thrive independently.

The BCP has a new program manager, Ms. Joanie Cooksey. Ms. Cooksey was previously the BCP policy and program development manager. She has worked with children with disabilities for over 25 years.

BCP continues to make improvements to service delivery for children supported within the program. Direct skills training, formally known as group skills training, have been enhanced to address specific needs of the child and focus on a particular goal and outcome. The DSTs for 2022 include Futures Planning, Developing Independence, and Adapting Environments. For questions about the program, email blindchildrensprogram@hhs.texas.gov.

## Children with Special Health Care Needs Services Program (CSHCN)

During fiscal year 2021, the CSHCN program provided services to 1,554 children with special health care needs and persons of any age with cystic fibrosis. As of December 2021, the CSHCN program has provided services to over 950 clients in fiscal year 2022. Currently, there are 422 clients on the waitlist.

## Deaf and Hard of Hearing

### *Board for Evaluation of Interpreters (BEI)*

The BEI Advisory Committee consists of seven members appointed to assist in administering the interpreter certification program, and to help develop the qualifications for each level of certification based on proficiency. The committee plans to hold a hybrid meeting in early 2022.

### *Interpreter Testing*

BEI program staff continue processing applications of interpreter candidates and issuing renewal certificates to eligible interpreters for persons who are deaf or hard

of hearing. All eligible applicants with complete applications prior to September 2021 have been given an opportunity to test. DHHS continues to explore methods to increase testing frequency and accessibility for the applicant.

### *Resource Specialist Program*

The Resource Specialist Program assists people who are deaf, hard of hearing or Deafblind access needed services from state and local government, service organizations, employers, and private entities. Currently there are contracts with 17 service providers across the state. Some regions are unserved or underserved and HHSC continues to pursue options for increasing service capacity.

### *Training and Education Program*

Training activities are provided for people who are deaf or hard of hearing as well as for their families, service providers, schools and institutions, employers, and government agencies. Training is offered throughout the year. Topics presented include mental health in the deaf and hard of hearing community, deaf self-advocacy training, interview skills training, ethical healthcare interpreting, and communication strategies. In the first quarter of fiscal year 2022, 11 training events were offered with nearly 1,000 attendees.

## Office of Disability Prevention for Children

The Office of Disability Prevention for Children (ODPC) works to prevent developmental disabilities and seeks to minimize the losses developmental disabilities cause, especially in infants and young children. ODPC prevents disabilities through provider and public education, partnership with other state agencies and stakeholders, and evaluating state efforts to prevent developmental disabilities. ODPC staff attend conferences and meetings to increase awareness of the program and to provide opportunities for collaboration.

The Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council (PANS) advises HHSC and the Legislature on research, diagnosis, treatment, and education related to PANS. ODPC supports the PANS Advisory Council as it addresses research, diagnosis, treatment, and education related to PANS throughout the state.

The latest PANS meeting was held on November 19, 2021, and a meeting archive can be accessed at this link: https://texashhsc.swagit.com/play/11202021-525. The next PANS Council meeting is scheduled for February 25, 2022. Future meeting dates and more information about the PANS Council can be found at this link on the PANS Advisory Committee webpage.

## Early Childhood Intervention Services (ECI)

On September 20, 2021, HHSC received the Office of Special Education Programs' (OSEP) response to our Corrective Action Plan submitted on February 3, 2021. That response acknowledged the steps already taken by HHSC and requested further evidence and action on a number of the corrective actions. HHSC is currently gathering the additional information requested as well as additional details about the activities that are currently still in process or being planned. This responsive documentation is anticipated to be submitted to OSEP in January, after which we will await their further response.

Amendments to the Texas Administrative Code (TAC) proposed by the HHSC ECI program have been published in the Texas Register. The proposed amendments to 26 TAC, Chapter 350 can be found here. The proposed repeal of 40 TAC Chapter 101 can be found here. Proposed new rule 1 TAC §351.843 is located here.

Comments or questions on the rule amendments can be sent to eci.policy@hhsc.state.tx.us.

ECI has released a webinar series titled *Success in Telehealth: Coaching from a Distance*, which was developed in response to training requests from ECI contractors and includes information on:

- How to incorporate all components of coaching during a telehealth session,
- How to use strategies suitable for telehealth service delivery, and
- How to address potential challenges encountered in a telehealth session.

The webinars include videos of actual telehealth sessions submitted by Texas ECI providers, which are embedded throughout to demonstrate the strategies and techniques presented.

The webinar series was pre-recorded and is archived on the HHS ECI Training and Technical Assistance webpage under the Archived Webinars section.

In addition to the above webinar series, HHS ECI has recently released an additional training titled, Building Stronger Brain Foundations. The target audience for this training is personnel from childcare centers and discusses:

- An overview of ECI services,
- The impact of positive and negative experiences on brain development and the importance of early intervention,
- Classroom strategies to foster healthy brain development,
- Activities to enhance multiple developmental areas, and
- Additional resources on early brain development.

This training is available for ECI contractors to use to strengthen their relationships with local childcare centers and help childcare centers to foster healthy brain development in children. Additionally, the presentation will help childcare staff enhance their understanding of effective strategies to collaborate with ECI providers and may be used to meet continuing education requirements for licensed childcare staff. The webinar was pre-recorded and is archived on the HHS ECI Training and Technical Assistance webpage under the Archived Webinars section.

### Independent Living Services (ILS)

The Independent Living Services (ILS) Program helps people with disabilities achieve greater independence in the home and community. HHSC contracts with Centers for Independent Living (CIL) to provide independent living services statewide. Counseling to help with adjusting to a disability, orientation and mobility to learn how to navigate without vision, assistive technology, and vehicle modifications are just a few examples of services CILs can provide through the ILS program. There are 27 CILs in Texas. All CILs are open and providing independent living services virtually or in person.

#### *Senate Bill 1, Rider 83 87th Regular Session Updates*

In accordance with the 2022-23 General Appropriations Act, Senate Bill 1, 87th Legislature, Regular Session (2021), Texas Health and Human Services Commission (HHSC) is required to submit an annual report on the Independent Living Services (ILS) Program. The report included the following data elements and can be located on the reports page at https://www.hhs.texas.gov/regulations/reports-presentations:

- Individuals seeking services;
- Individuals who received services;
- Individuals who achieved an independent living (IL) outcome;
- Demographic data of individuals receiving services from the purchased services contracts; and
- Funds awarded and expended each year

### Office of Guardianship Services

The Guardianship Services program (GSP) within the Office of Guardianship Services provides guardianship services to individuals who are deemed incapacitated by a court with guardianship jurisdiction. While GSP only receives referrals from Child Protective Services, Adult Protective Services and the Courts, the office is a state-wide resource of information for individuals interested in becoming guardians or those just seeking more information on guardianship. Efforts include:

- Updates to the *Guide to Adult Guardianship in Texas,* https://www.hhs.texas.gov/regulations/legal-information/guardianship
- Texas Adult Guide to Guardianship- English
- Texas Adult Guide to Guardianship- Spanish
- E-mail inbox for general guardianship questions and information Guardianship@hhsc.state.tx.us

## Health Specialty Care System (HSCS)

### State Supported Living Centers (SSLC)

#### *Staff Recruitment and Retention*

Historically, recruitment and retention of direct support professionals (DSPs) has been a challenge for SSLCs. The COVID-19 pandemic continues to significantly impact SSLC staffing resources and day to day operations. DSP fill rates in SSLCs decreased from 76.4 percent in December 2020, down to 59.8 percent in November 2021. This is a decrease of 1,079 DSP positions statewide. SSLCs continue to explore opportunities and implement strategies to recruit and retain staff system wide. Most recently, SSLCs implemented a hiring sign-on and recruitment bonus program. The program is intended to further enhance recruitment of new applicants and recognize the highly dedicated staff currently working at SSLCs. The program will be available to DSP and nursing staff and will commence in January 2022.

#### *Amended Department of Justice Settlement Agreement*

An amended agreement with the Department of Justice (DOJ) was finalized in 2021. The agreement provides the state relief from monitoring at a faster pace by recognizing areas (provisions) in which the SSLCs are performing well, allowing both the SSLCs and the independent monitoring team to focus on areas in which compliance has not yet been recognized. In early 2022, the state and DOJ will submit a joint notice to the court of all provisions in compliance at the thirteen centers.

#### *Quality Improvement Monitoring*

The independent settlement agreement monitors expressed uncertainty in how to measure substantial compliance with the quality assurance section of the agreement. As a result, the DOJ recommended the state receive technical assistance from a quality improvement expert. The quality improvement expert is from the Center for Developmental Disabilities Evaluation and Research at the University of Massachusetts Medical School and is currently assessing the state's quality improvement system. Based on preliminary feedback, the state is now modifying its process for statewide mortality reviews and the process for

responding to resident falls. The quality improvement expert is expected to continue working with the SSLCs through 2022.

### *SSLC Monitoring and Tracking System*

In spring 2020, SSLCs began working with IT to create a new web-based system to track results of internal monitoring. SSLC Monitoring and Tracking System (MATS) is built on a SQL platform and will gradually replace many Access databases previously used by the 13 SSLCs with a centralized source for data collection and reporting. Both facility and state office staff will now be able to easily access monitoring data. The first MATS module, Engagement Monitoring, came into use in May 2021, and four more monitoring tools were added before the end of the fiscal year. SSLC staff continue to meet with IT weekly, and development of several additional modules is in progress. Ready access to data will help with development of quality improvement plans as the SSLCs continue to strive for compliance with the DOJ Settlement Agreement.

### *Annual Statewide Transition Specialist Training*

A statewide virtual training for SSLC staff responsible for resident admissions and community transition operations was held the first week of December 2021. Staff from all 13 SSLCs were in attendance. The five-day virtual training covered multiple topics and included several presenters from different agencies. Topics included Medicaid reimbursement, community based vocational services, IDD-BH Transition Support Teams, Section 8 Rental Program, compliance with the Department of Justice Settlement Agreement, community-based pharmacy services, virtual training for community providers, and sharing of best practices.

### *Money Follows the Person Demonstration (MFPD) - Rebalancing Funds*

In November 2021, SSLCs were notified by Centers for Medicare & Medicaid Services (CMS) that their request for $27,300 through MFPD Rebalancing Funds was approved. The awarded money will be utilized to purchase promotional items to help raise awareness, attendance, and resident education of Community Provider Fair events. SSLCs host community Provider Fairs one to two times per year. Community providers from across the state attend and explain the services that are available to SSLC residents that transition to community living settings. This project will be a beneficial addition to the efforts of SSLCs in promoting choices for individuals interested in moving to a community-based setting. The project is 100% federally funded.

## Employment First

"Employment First" is an approach to facilitating the full inclusion of individuals with disabilities in the workplace. Under this approach, integrated, competitive employment should be the first option considered for individuals with disabilities and should be the expected outcome of education and publicly funded services for working-age youth and adults. Individuals with disabilities are much less likely to have a job than individuals without disabilities.

### *Employment Services/Employment First Training and Resources*

HHS developed a series of six web-based training modules on various employment services elements for direct support staff. The COVID-19 pandemic was the catalyst for Texas to develop these in a web-based format for training, outreach, and information. The web-based training format may reach a wider audience than otherwise would able to attend in person. The modules cover the following topics:

- Employment First and Home and Community Based Services Overview
- Employment Services, Family Concerns, Supplemental Security Income/Social Security Disability Insurance and Other Benefits
- Vocational Assessments and Employment Profiles
- Soft Skills
- Job Coaching, Mobile Apps, Electronic Tablets
- Building and Maintaining Strong Employer Relationships

In addition to the web-based opportunities, Texas has deployed six in-person training events for September - December 2021.

The Employment Services web-based trainings consist of a twelve-module training series that provides an overview of waiver employment services and a Supplemental Security Income/Social Security Disability Insurance benefits overview.

This HHSC Employment First webpage serves as a resource for individuals with disabilities seeking employment information and employers who are seeking to hire persons with disabilities.

Developed in 2016, this Hiring People with Disabilities video targets employers and provides information related to the benefits of hiring persons with disabilities.

Developed in February 2020, this Supporting Employment Goals for People with Disabilities video targets program participants and families by showcasing success stories of persons with disabilities achieving integrated, community-based work.

The *What You Need to Know* brochure was developed for people with a disability who want to learn about competitive, integrated employment in the community. The brochure contains information on Employment First, the employment services offered through HHS programs and how going to work may affect Social Security benefits and health care coverage. The brochure is located on the HHSC Employment First Webpage.

The HHSC Guide to Employment is designed to assist with improving employment outcomes for persons with disabilities.

### *Grant-Funded Projects*

HHS has two employment pilots funded through the Money Follows the Person Demonstration (MFPD).

Community-based Apprenticeship Pilot - This project provides opportunities for paid internships for individuals with intellectual and developmental disabilities or individuals receiving behavioral health services. The goal is to provide transferrable skills for further employment.

Electronic Tablets/ Employment Transition Pilot - This project uses electronic tablets and currently available assistive applications to provide individuals with interactive technology that lessens their dependency on assistance or intervention from others.

## Crisis Intervention and Crisis Respite Services

The 86th Legislature allocated $4 million over the fiscal year 2020-2021 biennium for local intellectual and developmental disability authorities (LIDDAs) to provide crisis intervention and crisis respite support to individuals who have intellectual and/or developmental disabilities who may have behavioral health or mental health support needs. This funding gives a total of $28.6 million towards crisis intervention and crisis respite services. Currently, all 39 LIDDAs statewide provide crisis intervention and crisis respite services to support individuals to maintain independent lives in the community, free of institutionalization.

September 1, 2021 through November 30, 2021:

- 816 individuals received crisis intervention services; and
- 169 individuals received crisis respite services.

## Transition Support Teams

The Transition Support Teams (TST) provide support to individuals transitioning from institutional settings into the community who may have significant medical, behavioral, and psychiatric support needs. The support teams give educational materials, offer technical assistance, and consultative case reviews to aid

community waiver program providers and LIDDAs to successfully assist individuals with coordinating their transition from institutional settings.

September 1, 2021 through November 30, 2021, the TSTs provided:

- 301 educational opportunities with 3,574 people in attendance.
- 285 opportunities for technical assistance with 890 people in attendance.
- 861 peer review/case consultations with 3,536 in attendance.

### Enhanced Community Coordination

The LIDDA Enhanced Community Coordination (ECC) service coordinators provide intense monitoring and flexible support to ensure individuals' success in the community. The ECC service coordinator links individuals to critical services and monitors the success of those services for one year following a transition or diversion from an institution. From September 1, 2021 through November 30, 2021, 545 individuals were served.

### Outpatient Mental Health Clinics

As reported in previous GCPD HHSC Ex-Officio reports, the 86th Legislature allocated $3.0 million for IDD Outpatient Mental Health clinics to enhance the services available for individuals with IDD and mental health needs. This funding establishes IDD community outpatient mental health services. On November 1, 2020 a pilot was implemented to provide the outpatient mental health services identified in the exceptional item. As of November 30, 2021, 108 individuals are currently enrolled in the IDD community outpatient mental health services program.

### Behavioral Health Peer Service Providers Survey

The Texas Health and Human Services Commission (HHSC) developed a survey to assess utilization of peer service providers in community organizations throughout Texas. Peer support is encouragement and assistance from someone with the lived experience of recovery from a mental health condition, substance use disorder, or both who provides support to others experiencing similar challenges to achieve long-term recovery.

HHSC is requesting administrators as opposed to staff take the survey. As an administrator (e.g. Director of Behavioral Health or Clinic Administrator), your insight will help HHSC understand organizational opportunities and challenges associated with peer service providers within a community organization.

This survey will take less than 10 minutes to complete.

If you have any questions, email AllTexasAccess@hhs.texas.gov.

Take Survey.

## Medicaid Autism Services

Medicaid Autism Services medical benefit is scheduled to implement February 1, 2022. Licensed behavior analyst (LBA) enrollment with TMHP opened on July 30, 2021. Outreach to Texas LBAs is underway. HHSC staff are meeting regularly with MCOs to support the rollout in managed care.

## Home and Community Based Services (HCBS) Settings Regulation

The Centers for Medicare and Medicaid Services (CMS) issued regulations in 2014 governing the settings where Medicaid HCBS are provided. The regulations require that a setting must support a person's full access to the community, including opportunities to engage in community life, work in competitive integrated settings, and control personal resources. The final deadline for compliance is March 17, 2023.

The regulations set forth a heightened scrutiny process, through which states must submit informational packets for certain settings to demonstrate to CMS that the settings meet federal HCBS criteria. HHSC has determined that assisted living facilities (ALFs) in the STAR+PLUS HCBS program must undergo heightened scrutiny. HHSC is working with STAR+PLUS managed care organizations (MCOs) to complete information packets for these settings.

Day habilitation is a service in the Home and Community-based Services (HCS), Texas Home Living (TxHmL) and Deaf Blind with Multiple Disabilities (DBMD) programs. HHSC has determined that day habilitation does not meet the requirements of the HCBS Settings Rule. HHSC will replace day habilitation with a new, fully compliant services called individualized skills and socialization prior to March 17, 2023. Draft program rules for individualized skills and socialization were posted for informal comment in January 2022. HHSC received many comments from providers and advocacy organizations. The rules will be formally proposed during the May Medical Care Advisory Committee meeting.

States are required to submit a Statewide Transition Plan (STP) to CMS for approval. The STP provides assurances of compliance or sets forth the actions that the state will take to bring HCBS programs into compliance. HHSC is revising the STP based on feedback from CMS in preparation for submitting the plan to CMS for approval. The revised STP will be posted for a 30-day public comment period before it is submitted to CMS.

## STAR+PLUS Pilot Program

House Bill 4533, 86th Legislature, Regular Session, 2019, amends Texas Government Code Chapter 534 and directs development and implementation of a

pilot through the STAR+PLUS Medicaid managed care program to test person-centered managed care strategies and improvements based on capitation. The STAR+PLUS Pilot Program (SP3) will test the managed care delivery of long-term services and supports (LTSS) for people with intellectual and developmental disabilities (IDD), traumatic brain injury that occurred after age 21, or people with similar functional needs as a person with IDD.

HHSC continues to work towards readiness by the implementation date of September 1, 2023. The Bexar managed care service delivery area has been selected for the SP3, with Medicaid Rural Service Area Northeast and Tarrant as back-up options, and HHSC has started the contract development process for various aspects of the SP3 such as the MCO and the functional needs assessment.

HHSC also continues work on programmatic elements such as eligibility criteria, services available to pilot participants, approaches to service coordination, consumer direction, and the roles and responsibilities of various service providers. These aspects of the SP3 are being developed in collaboration with internal stakeholders and external stakeholders, such as the Intellectual and Developmental Disability System Redesign Advisory Committee, the STAR+PLUS Pilot Program Workgroup and associated subcommittees and workgroups.

### HHSC's Complaints Data Trending and Analysis Initiative

HHSC identified opportunities to improve the member managed care complaints process and data collection. The project worked to streamline the complaint process; has standardized definitions and categorizations of complaints within HHSC and MCOs; improved data analysis to efficiently recognize patterns and promote early issue resolution; and provided greater transparency about complaints.

HHSC changed the complaints process to provide a no-wrong-door approach to managed-care complaint submissions enabling HHSC staff to quickly assist individuals with resolutions. Complaints are funneled to one area of the agency to ensure every complaint is recorded and tracked consistently.

Project milestones include:

- Executed contract changes related to complaints definitions (September 2019).
- Implemented complaint category standardization across HHSC and MCOs (December 2019).
- Revised reporting requirements from quarterly to monthly to aid in early issue detection (December 2019).

- Deployed client-facing changes to the new complaints process (November2019).
- Implemented a communications plan detailing the complaints process.
- Aggregated and verified Member and Provider complaints data as required by HB 4533 (July 2020).
- Publicly post agency and MCO self-reported data (October 2021).

### Office of Disability Services Coordination (ODSC)

#### Age Well Live Well (AWLW) AmeriCorps VISTA Member

ODSC is a partnering with the Aging Services Coordination office on an AmeriCorps VISTA project as a subsite. The project seeks to strengthen HHSC cross-coordination among offices serving older adults, improve understanding of aging issues and needs, and ultimately increase capacity to provide services for older adults in Texas. The proposed project expects to benefit the eight Supervisor offices, their partners, older Texans, caregivers, and the community at large.

The Disability Services VISTA Member, housed within ODSC, will assist with the implementation of two systems-level initiatives – the Disability Services Action Plan and the Direct Service Workforce Development Taskforce—each with multiple projects ranging from conducting policy research; building connections with community partners and disability populations; and creating awareness and engagement materials. The selected Member will gain experience in disability services, aging services, public health, partnership building, research, and will have the opportunity to gain professional experience while working in a state government setting.

If interested in this unique opportunity, please apply at https://my.americorps.gov/mp/listing/viewListing.do?fromSearch=true&id=106434

## HHS System Level Updates

### Substantial Policy, Key Personnel, or Organizational Changes

#### Chief Medicaid and CHIP Services (CMCS)

- Mary Bishop, Lead of the Person-Centered Practices team, has retired as of January 2022.

#### Chief Program and Services Office (CPSO) Realignment

- Molly Lester was named Deputy CPSO in December 2021.

- Keisha Rowe was named Associate Commissioner of Rehabilitation and Independence Services (RIS) in December 2021.
- Nikki Soukup was named Program Manager for the Board for Evaluation of Interpreters program in November 2021.
- Joanie Cooksey was named Program Manager for the Blind Children's Vocational Discovery and Development Program (BCP).
- Logan Perkes was named the Disability Policy Specialist for the Office of Disability Services Coordination in November 2021.

### Chief Policy and Regulatory Office (CPRO)

- Jordan Dixon was named CPRO in January 2022. As CPRO, she oversees the offices of Transformation and Innovation; Policy and Rules; Data, Analytics and Performance; Compliance and Quality Control; and the Regulatory Services division.

## HHS Strategic Plan

Every two years, the Texas Health and Human Services system updates its Strategic Plans, which describe its work to address multifaceted and evolving factors affecting health and human services. Each of the system's divisions contributes to the development of the Strategic Plans.

The Plans define the system's mission, goals, objectives, and action items to address specific issues over a five-year period.

- HHS Strategic Plans FY 2021-2025

## Long-range Plans for People with Disabilities

- Disability Services Action Plan
- Maximizing Resources and Long-Range Planning for State Supported Living Centers
- Proposed Long-Term Care Plan for Individuals with Intellectual Disabilities and Related Conditions Fiscal Years 2022-2023
- 2018 TX Promoting Independence Plan
- 2020-2021 Aging Texas Well Plan (PDF)
- Rider 157 – Community Attendant Workforce Development Strategic Plan

## Performance Measures

Texas must have a Texas Managed Care Quality Strategy approved by the Centers for Medicare & Medicaid Services (CMS) as outlined in the Code of Federal

Regulations (CFR) Title 42, Chapter IV, Subchapter C, Part 438, Subpart E, Quality Measurement, and Improvement.

- *Texas Managed Care Quality Strategy*

The 1115 Waiver Annual Reports--provides data on network adequacy, complaints, ongoing evaluation and monitoring activities, and enrollment data.

- *1115 Waiver Renewal Report*

Managed Care Organization Report Cards (CHIP, STAR, STAR+PLUS) HHSC and the external quality review organization develop annual health plan report cards.

- *Managed Care Organization Report Cards*

Medicaid/CHIP Quality and Efficiency Improvement Data and Reports is a quality webpage to give public reporting of performance data including hospitals, health plans, external quality reviews of MCOs, and legislative reports related to quality.

- *Medicaid/CHIP Quality and Efficiency Improvement Data and Reports*

## Publications, Meetings and Proposed Rules

### Reports & Presentations

Visit the HHS Reports and Presentations page for the latest list.

### Advisory Committee Meetings

All HHS advisory committee meetings resumed using virtual formats until further notice. For a full list of archived and upcoming committee hearings visit the HHS Communications & Events page.

### Proposed Rules

Below is a list of proposed rules published in the *Texas Register*. The proposed rules published in the *Texas Register* are open for public comment until the end of the comment period. Information about HHSC rules is found at: Health-Human-Services-Rulemaking and HHSC Rulemaking Public Comment

[i] Texas Department of State Health Services. (2021, August 13). Workbook: COVID-19 Vaccine in Texas (Dashboard). COVID-19 Vaccination in Texas - Texas Department of State Health Services. https://tabexternal.dshs.texas.gov/t/THD/views/COVID-19VaccineinTexasDashboard/Summary?:origin=card_share_link&:embed=y&:isGuestRedirectFromVizportal=y