Sec. 1217.006. FAILURE TO PRESCRIBE STANDARD FORM. Nothing in this chapter may be construed as authorizing the commissioner to decline to prescribe the form required by Section 1217.004.

Sec. 1217.007. CONSTRUCTION WITH OTHER LAW. Nothing in this chapter may be construed as permitting a health benefit plan issuer or an agent of a health benefit plan issuer to require prior authorization of health care services benefits when otherwise prohibited by law.

SECTION 2. Not later than January 1, 2015, the commissioner of insurance by rule shall prescribe a standard form under Section 1217.004, Insurance Code, as added by this Act.

SECTION 3. The change in law made by this Act applies only to a request for prior authorization of health care services made on or after September 1, 2015. A request for prior authorization of health care services made before September 1, 2015, under a health benefit plan delivered, issued for delivery, or renewed before that date is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2013.

Passed the Senate on May 2, 2013: Yeas 30, Nays 1; the Senate concurred in House amendments on May 24, 2013: Yeas 31, Nays 0; passed the House, with amendments, on May 22, 2013: Yeas 142, Nays 6, one present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1199

S.B. No. 1226

AN ACT

relating to the establishment of an employment-first policy and task force to promote competitive employment opportunities that provide a living wage for individuals 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 Sections 531.02447 and 531.02448 to read as follows:

Sec. 531.02447. EMPLOYMENT-FIRST POLICY. (a) It is the policy of the state that earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits.

(b) The commission, the Texas Education Agency, and the Texas Workforce Commission shall jointly adopt and implement an employment-first policy in accordance with the state’s policy under Subsection (a). The policy must:

(1) affirm that an individual with a disability is able to meet the same employment standards as an individual who does not have a disability;

(2) ensure that all working-age individuals with disabilities, including young adults, are offered factual information regarding employment as an individual with a disability, including the relationship between an individual’s earned income and the individual’s public benefits;

(3) ensure that individuals with disabilities are given the opportunity to understand and explore options for education or training, including postsecondary, graduate, and postgraduate education, vocational or technical training, or other training, as pathways to employment;

(4) promote the availability and accessibility of individualized training designed to prepare an individual with a disability for the individual’s preferred employment;
(5) promote partnerships with employers to overcome barriers to meeting workforce needs with the creative use of technology and innovation;

(6) ensure that the staff of public schools, vocational service programs, and community providers are trained and supported to assist in achieving the goal of competitive employment for all individuals with disabilities; and

(7) ensure that competitive employment, while being the priority and preferred outcome, is not required of an individual with a disability to secure or maintain public benefits for which the individual is otherwise eligible.

Sec. 531.02448. EMPLOYMENT-FIRST TASK FORCE. (a) The executive commissioner shall establish an interagency employment-first task force, or may use an existing committee or task force, to promote competitive employment of individuals with disabilities and the expectation that individuals with disabilities are able to meet the same employment standards, responsibilities, and expectations as any other working-age adult.

(b) If the executive commissioner establishes a task force for the purposes described by Subsection (a), the executive commissioner shall determine the number of members on the task force. The executive commissioner shall appoint at least the following as members, subject to Subsection (e):

(1) an individual with a disability;
(2) a family member of an individual with a disability;
(3) a representative of the commission;
(4) a representative of the Department of Assistive and Rehabilitative Services;
(5) a representative of the Department of State Health Services;
(6) a representative of the Department of Aging and Disability Services;
(7) a representative of the Department of Family and Protective Services;
(8) a representative of the Texas Workforce Commission;
(9) a representative of the Texas Education Agency;
(10) an advocate for individuals with disabilities;
(11) a representative of a provider of integrated and competitive employment services; and
(12) an employer or a representative of an employer in an industry in which individuals with disabilities might be employed.

(c) A member of a task force established under this section serves at the will of the executive commissioner.

(d) The executive commissioner shall designate a member of a task force established under this section to serve as presiding officer.

(e) At least one-third of a task force established under this section must be composed of individuals with disabilities, and no more than one-third of the task force may be composed of advocates for individuals with disabilities.

(f) A task force established under this section or an existing committee or task force used for purposes of this section shall:

(1) design an education and outreach process targeted at working-age individuals with disabilities, including young adults with disabilities, the families of those individuals, the state agencies listed in Subsection (b), and service providers, that is aimed at raising expectations of the success of individuals with disabilities in integrated, individualized, and competitive employment;

(2) develop recommendations for policy, procedure, and rules changes that are necessary to allow the employment-first policy described under Section 531.02447(b) to be fully implemented; and

(3) not later than September 1 of each even-numbered year, prepare and submit to the office of the governor, the legislature, and the executive commissioner a report regarding the task force's findings and recommendations, including:

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(A) information that reflects the potential and actual impact of the employment-first policy on the employment outcomes for individuals with disabilities; and

(B) recommendations for improvement of employment services and outcomes, including employment rates, for individuals with disabilities based on the reported impact of an employment-first policy under Paragraph (A) that may include:

(i) recommendations relating to using any savings to the state resulting from the implementation of the employment-first policy to further improve the services and outcomes; and

(ii) recommendations developed under Subdivision (2) regarding necessary policy, procedure, and rules changes.

(g) A member of a task force established under this section is not entitled to compensation. Members may be reimbursed for expenses as follows:

(1) a member described by Subsection (b)(1) or (2) is entitled to reimbursement for travel and other necessary expenses as provided in the General Appropriations Act;

(2) a member appointed as a representative of a state agency is eligible for reimbursement for travel and other necessary expenses according to the applicable agency’s policies; and

(3) a member described by Subsection (b)(10), (11), or (12) is entitled to reimbursement for travel and other necessary expenses to be paid equally out of available money appropriated to the commission and to health and human services agencies.

(h) The commission and the health and human services agencies shall provide administrative support and staff to a task force established under this section.

(i) The executive commissioner, the commissioner of education, and the Texas Workforce Commission shall evaluate recommendations made by a task force or committee under this section and adopt rules as necessary that are consistent with the employment-first policy adopted under Section 531.02447.

(j) This section expires September 1, 2017.

SECTION 2. Not later than January 1, 2014, the executive commissioner of the Health and Human Services Commission shall appoint the members of the employment-first task force under Section 531.02448, Government Code, as added by this Act, if the executive commissioner establishes a task force under that section.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed the Senate on April 18, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 24, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 21, 2013: Yeas 121, Nays 16, two present not voting.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 1200

S.B. No. 1289

AN ACT
relating to certain business entities engaged in the publication of mug shots and other information regarding the involvement of an individual in the criminal justice system; providing a civil penalty.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 109 to read as follows:

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