

1-1 By: Naishtat, Guillen H.B. No. 2588
 1-2 (Senate Sponsor - Zaffirini)
 1-3 (In the Senate - Received from the House May 6, 2015;
 1-4 May 7, 2015, read first time and referred to Committee on Health
 1-5 and Human Services; May 21, 2015, reported adversely, with
 1-6 favorable Committee Substitute by the following vote: Yeas 7, Nays
 1-7 0; May 21, 2015, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18			X	

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 2588 By: Zaffirini

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to disclosures by nursing facilities and assisted living
 1-23 facilities regarding certification or classification to provide
 1-24 specialized care, treatment, or personal care services to residents
 1-25 with Alzheimer's disease or related disorders and the authority of
 1-26 the executive commissioner of the Health and Human Services
 1-27 Commission to adopt rules defining those conditions; adding
 1-28 requirements for an occupational license.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Section 242.040, Health and Safety Code, is
 1-31 amended by adding Subsection (g) to read as follows:

1-32 (g) The executive commissioner by rule shall adopt a
 1-33 definition of "Alzheimer's disease and related disorders," and may
 1-34 adopt by reference a definition published in a generally accepted
 1-35 clinical resource for medical professionals. The executive
 1-36 commissioner shall modify the definition as necessary to conform to
 1-37 changes in medical practice.

1-38 SECTION 2. Section 242.202(d), Health and Safety Code, is
 1-39 amended to read as follows:

1-40 (d) The disclosure statement must contain the following
 1-41 categories of information:

1-42 (1) the institution's philosophy of care;
 1-43 (2) whether the institution is certified under Section
 1-44 242.040 for the provision of specialized care and treatment of
 1-45 residents with Alzheimer's disease and related disorders;

1-46 (3) the preadmission, admission, and discharge
 1-47 process;

1-48 (4) ~~(3)~~ resident assessment, care planning, and
 1-49 implementation of the care plan;

1-50 (5) ~~(4)~~ staffing patterns, such as
 1-51 resident-to-staff ratios, and staff training;

1-52 (6) ~~(5)~~ the physical environment of the
 1-53 institution;

1-54 (7) ~~(6)~~ resident activities;

1-55 (8) ~~(7)~~ program costs;

1-56 (9) ~~(8)~~ systems for evaluation of the institution's
 1-57 programs for residents;

1-58 (10) ~~(9)~~ family involvement in resident care; and

1-59 (11) ~~(10)~~ the toll-free telephone number maintained
 1-60 by the department for acceptance of complaints against the

2-1 institution.

2-2 SECTION 3. Section 247.026, Health and Safety Code, is
2-3 amended by adding Subsection (c-1) to read as follows:

2-4 (c-1) The executive commissioner shall require each
2-5 assisted living facility to include in the facility's consumer
2-6 disclosure statement whether the facility holds a license
2-7 classified under Section 247.029 for the provision of personal care
2-8 services to residents with Alzheimer's disease or related
2-9 disorders.

2-10 SECTION 4. Section 247.029, Health and Safety Code, is
2-11 amended by adding Subsection (d) to read as follows:

2-12 (d) The executive commissioner by rule shall adopt a
2-13 definition of "Alzheimer's disease and related disorders," and may
2-14 adopt by reference a definition published in a generally accepted
2-15 clinical resource for medical professionals. The executive
2-16 commissioner shall modify the definition as necessary to conform to
2-17 changes in medical practice.

2-18 SECTION 5. The executive commissioner of the Health and
2-19 Human Services Commission, as soon as practicable after the
2-20 effective date of this Act, shall adopt any necessary rules
2-21 prescribing the form of the disclosures under Sections 242.202 and
2-22 247.026, Health and Safety Code, as amended by this Act, and rules
2-23 prescribing definitions under Sections 242.040 and 247.029, Health
2-24 and Safety Code, as amended by this Act.

2-25 SECTION 6. The changes in law made by Sections 242.202 and
2-26 247.026, Health and Safety Code, as amended by this Act, apply only
2-27 to disclosures provided on or after January 1, 2016.

2-28 SECTION 7. This Act takes effect immediately if it receives
2-29 a vote of two-thirds of all the members elected to each house, as
2-30 provided by Section 39, Article III, Texas Constitution. If this
2-31 Act does not receive the vote necessary for immediate effect, this
2-32 Act takes effect September 1, 2015.

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