

1-1 By: Springer (Senate Sponsor - Buckingham) H.B. No. 284  
1-2 (In the Senate - Received from the House April 10, 2017;  
1-3 April 19, 2017, read first time and referred to Committee on Health  
1-4 & Human Services; May 17, 2017, reported favorably by the following  
1-5 vote: Yeas 8, Nays 1; May 17, 2017, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9		X		
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to authorization for certain health care facilities to  
1-20 secure residents with wheelchair self-release seat belts.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter B, Chapter 322, Health and Safety  
1-23 Code, is amended by adding Section 322.0515 to read as follows:

1-24 Sec. 322.0515. AUTHORIZATION FOR USE OF WHEELCHAIR  
1-25 SELF-RELEASE SEAT BELT. Notwithstanding Section 322.051, a  
1-26 facility shall allow a resident to use a wheelchair self-release  
1-27 seat belt while the resident is in the resident's wheelchair if:

1-28 (1) the resident demonstrates the ability to release  
1-29 and fasten the seat belt without assistance;

1-30 (2) the use of the wheelchair self-release seat belt  
1-31 complies with the resident's plan of care; and

1-32 (3) the facility receives written authorization  
1-33 signed by the resident or the resident's legal guardian for the  
1-34 resident to use the wheelchair self-release seat belt.

1-35 SECTION 2. If before implementing any provision of this Act  
1-36 a state agency determines that a waiver or authorization from a  
1-37 federal agency is necessary for implementation of that provision,  
1-38 the agency affected by the provision shall request the waiver or  
1-39 authorization and may delay implementing that provision until the  
1-40 waiver or authorization is granted.

1-41 SECTION 3. As soon as practicable after the effective date  
1-42 of this Act but not later than January 1, 2018, the executive  
1-43 commissioner of the Health and Human Services Commission shall  
1-44 adopt rules necessary to implement this Act.

1-45 SECTION 4. Section 322.0515, Health and Safety Code, as  
1-46 added by this Act, applies only to the use of a wheelchair  
1-47 self-release seat belt occurring on or after January 1, 2018. Use  
1-48 of a wheelchair self-release seat belt occurring before that date  
1-49 is governed by the law in effect immediately before the effective  
1-50 date of this Act, and that law is continued in effect for that  
1-51 purpose.

1-52 SECTION 5. This Act takes effect September 1, 2017.

1-53 \* \* \* \* \*