

1-1 By: Frank, Klick (Senate Sponsor - Buckingham) H.B. No. 3329  
 1-2 (In the Senate - Received from the House April 29, 2019;  
 1-3 April 29, 2019, read first time and referred to Committee on Health  
 1-4 & Human Services; May 10, 2019, reported favorably by the following  
 1-5 vote: Yeas 8, Nays 0; May 10, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
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 the services provided by assisted living facilities.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 247.002(1), Health and Safety Code, is  
 1-22 amended to read as follows:

1-23 (1) "Assisted living facility" means an establishment  
 1-24 that:

1-25 (A) furnishes, in one or more facilities, food  
 1-26 and shelter to four or more persons who are unrelated to the  
 1-27 proprietor of the establishment;

1-28 (B) provides:  
 1-29 (i) personal care services; or  
 1-30 (ii) administration of medication by a  
 1-31 person licensed or otherwise authorized in this state to administer  
 1-32 the medication;

1-33 (C) may provide assistance with or supervision of  
 1-34 the administration of medication; ~~and~~

1-35 (D) may provide skilled nursing services for the  
 1-36 following limited purposes:

1-37 (i) coordination of resident care with  
 1-38 outside home and community support services agencies and other  
 1-39 health care professionals;

1-40 (ii) provision or delegation of personal  
 1-41 care services and medication administration as described by this  
 1-42 subdivision;

1-43 (iii) assessment of residents to determine  
 1-44 the care required; and

1-45 (iv) for periods of time as established by  
 1-46 department rule, delivery of temporary skilled nursing treatment  
 1-47 for a minor illness, injury, or emergency; and

1-48 (E) may provide health maintenance activities as  
 1-49 defined by rule by the Texas Board of Nursing.

1-50 SECTION 2. Section 247.025, Health and Safety Code, is  
 1-51 amended to read as follows:

1-52 Sec. 247.025. ADOPTION OF RULES. (a) The executive  
 1-53 commissioner shall adopt rules necessary to implement this chapter,  
 1-54 including requirements for the issuance, renewal, denial,  
 1-55 suspension, and revocation of a license to operate an assisted  
 1-56 living facility.

1-57 (b) The executive commissioner shall adopt rules  
 1-58 distinguishing and providing guidelines on the scope of services  
 1-59 that an assisted living facility may provide under this chapter.

1-60 SECTION 3. As soon as practicable after the effective date  
 1-61 of this Act:

2-1 (1) the Texas Board of Nursing shall adopt the rules  
2-2 necessary to implement Section 247.002(1), Health and Safety Code,  
2-3 as amended by this Act; and

2-4 (2) the executive commissioner of the Health and Human  
2-5 Services Commission shall adopt the rules required by Section  
2-6 247.025, Health and Safety Code, as amended by this Act.

2-7 SECTION 4. This Act takes effect September 1, 2019.

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