

By: Thompson of Brazoria

H.B. No. 2325

A BILL TO BE ENTITLED

AN ACT

relating to emergency generators or other power sources in nursing facilities and assisted living facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 242, Health and Safety Code, is amended by adding Section 242.053 to read as follows:

Sec. 242.053. EMERGENCY GENERATOR OR OTHER POWER SOURCE.

Each nursing facility licensed under this chapter shall ensure the facility is equipped with an operational emergency generator or comparable emergency power source and a sufficient amount of fuel to operate the generator or power source and maintain the air temperature in the facility at not less than 68 degrees and not more than 81 degrees Fahrenheit for a minimum of 72 hours during a power outage.

SECTION 2. Subchapter D, Chapter 247, Health and Safety Code, is amended by adding Section 247.072 to read as follows:

Sec. 247.072. EMERGENCY GENERATOR OR OTHER POWER SOURCE.

Each assisted living facility licensed under this chapter shall ensure the facility is equipped with an operational emergency generator or comparable emergency power source and a sufficient amount of fuel to operate the generator or power source and maintain the air temperature in the facility at not less than 68 degrees and not more than 81 degrees Fahrenheit for a minimum of 72 hours during a power outage.

1 SECTION 3. As soon as practicable after the effective date
2 of this Act, the executive commissioner of the Health and Human
3 Services Commission shall adopt rules necessary to implement
4 Sections 242.053 and 247.072, Health and Safety Code, as added by
5 this Act.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2021.