

By: Capriglione

H.B. No. 1673

Substitute the following for H.B. No. 1673:

By: Klick

C.S.H.B. No. 1673

A BILL TO BE ENTITLED

AN ACT

1
2 relating to training requirements for staff members of certain
3 assisted living facilities that provide care to persons with
4 Alzheimer's disease and related disorders.

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

6 SECTION 1. Subchapter B, Chapter 247, Health and Safety
7 Code, is amended by adding Section 247.0291 to read as follows:

8 Sec. 247.0291. TRAINING REQUIREMENTS FOR STAFF MEMBERS OF
9 ASSISTED LIVING FACILITIES PROVIDING CARE TO RESIDENTS WITH
10 ALZHEIMER'S DISEASE OR RELATED DISORDERS. (a) In this section:

11 (1) "Assisted living manager" means an individual who
12 is in a senior personnel position at an assisted living facility,
13 including a facility administrator or manager who directly
14 supervises direct service staff members.

15 (2) "Direct service staff member" means a staff member
16 whose work involves extensive contact with residents, including a
17 certified nursing assistant, nurse aide, personal care assistant,
18 home health or personal care aide, licensed practical nurse,
19 licensed vocational nurse, registered nurse, social worker,
20 activity director, licensed dietitian, physician assistant, nurse
21 practitioner, physical therapist, speech language pathologist, and
22 occupational therapist.

23 (3) "Staff member" means a full- or part-time employee
24 of an assisted living facility.

1 (b) This section applies only to an assisted living facility
2 that:

3 (1) provides personal care services to residents with
4 Alzheimer's disease or related disorders; and

5 (2) does not hold a license classified under Section
6 247.029 to provide those services.

7 (c) An assisted living facility shall require each facility
8 staff member to complete training on Alzheimer's disease and
9 related disorders in accordance with this section.

10 (d) An assisted living facility shall require each direct
11 service staff member to successfully complete four hours of
12 training and pass a competency-based evaluation on:

13 (1) Alzheimer's disease and related disorders;

14 (2) the provision of person-centered care;

15 (3) assessment and care planning;

16 (4) daily life activities of residents with
17 Alzheimer's disease or related disorders; and

18 (5) common behaviors and communications associated
19 with residents with Alzheimer's disease and related disorders.

20 (e) A direct service staff member may not provide any direct
21 care to a resident with Alzheimer's disease or related disorders
22 until the staff member successfully completes the training and
23 passes the evaluation required under Subsection (d).

24 (f) An assisted living facility shall require each assisted
25 living manager employed by the facility to successfully complete
26 four hours of training and pass a competency-based evaluation on:

27 (1) the topics listed under Subsection (d);

1 (2) administrative support services related to
2 information for comorbidities management, care planning, and the
3 provision of medically appropriate education and support services
4 and resources in the community, including person-centered care, to
5 residents with Alzheimer's disease or related disorders and their
6 families;

7 (3) staffing requirements to facilitate collaboration
8 and cooperation among facility staff members and to ensure each
9 staff member obtains appropriate informational materials and
10 training to properly care for and interact with residents with
11 Alzheimer's disease or related disorders based on the staff
12 member's position;

13 (4) the establishment of a supportive and therapeutic
14 environment for residents with Alzheimer's disease or related
15 disorders to enhance the sense of community among the residents and
16 within the facility; and

17 (5) the transition of care and coordination of
18 services for residents with Alzheimer's disease or related
19 disorders.

20 (g) An assisted living facility shall require each staff
21 member who is not required to complete the training or pass the
22 evaluation under Subsection (d) or (f), including housekeeping
23 staff, front desk staff, maintenance staff, and other staff members
24 with incidental but recurring contact with residents with
25 Alzheimer's disease or related disorders, to successfully complete
26 training and pass a competency-based evaluation on the topics
27 listed under Subsections (d)(1), (2), and (5).

1 (h) An assisted living facility shall provide a certificate
2 of completion to and maintain records of each certificate, in
3 accordance with applicable records retention policies the
4 commission prescribes, for each staff member who successfully
5 completes the training and passes the evaluation required under
6 Subsection (d), (f), or (g).

7 (i) Each direct service staff member and assisted living
8 manager who successfully completes the training and passes the
9 evaluation required under Subsection (d) or (f) must annually
10 complete two hours of continuing education on best practices
11 related to the treatment of and provision of care to residents with
12 Alzheimer's disease or related disorders.

13 (j) Except as provided by Subsection (k), an assisted living
14 facility staff member who successfully completes the training and
15 passes the evaluation required under Subsection (d), (f), or (g)
16 and who transfers to another facility is not required to complete
17 those requirements for the other facility.

18 (k) An assisted living facility may require a staff member
19 who has had a lapse of employment with facilities to which this
20 section applies for a period of two years or more to successfully
21 complete the training and pass the evaluation required under
22 Subsection (d), (f), or (g) even if the staff member previously
23 completed those requirements.

24 (l) Each assisted living facility staff member who
25 successfully completes the training, including continuing
26 education requirements, and passes an evaluation required under
27 this section must maintain documentation regarding the training and

1 evaluation.

2 (m) The executive commissioner shall adopt rules necessary
3 to implement this section.

4 SECTION 2. As soon as practicable after the effective date
5 of this Act, the executive commissioner of the Health and Human
6 Services Commission shall adopt any rules necessary to implement
7 the changes in law made by this Act.

8 SECTION 3. Notwithstanding Section 247.0291, Health and
9 Safety Code, as added by this Act, an assisted living facility staff
10 member to which that section applies is not required to complete the
11 training or pass the competency-based evaluation required under
12 that section until December 31, 2024.

13 SECTION 4. This Act takes effect September 1, 2023.