

Amend Amendment No. 131 by Heflin to CSHB 2292 by adding the following appropriately numbered item and renumbering the remaining items as appropriate:

(___) Add the following appropriately numbered sections of the bill and renumber the remaining sections of the bill as appropriate:

SECTION _____. Section 253.008, Health and Safety Code, is amended to read as follows:

Sec. 253.008. VERIFICATION OF EMPLOYABILITY. (a) Before a facility, ~~[or]~~ an agency licensed under Chapter 142, or a person exempt from licensing under Section 142.003(a)(19) may hire an employee, the facility, ~~[or]~~ agency, or person shall search the employee misconduct registry under this chapter and the nurse aide registry maintained under the Omnibus Budget Reconciliation Act of 1987 (Pub. L. No. 100-203) to determine whether the applicant for employment ~~[person]~~ is designated in either registry as having abused, neglected, or exploited a resident or consumer of a facility or an individual receiving services from an agency licensed under Chapter 142 or from a person exempt from licensing under Section 142.003(a)(19).

(b) A facility, ~~[or]~~ agency licensed under Chapter 142, or a person exempt from licensing under Section 142.003(a)(19) may not employ a person who is listed in either registry as having abused, neglected, or exploited a resident or consumer of a facility or an individual receiving services from an agency licensed under Chapter 142 or from a person exempt from licensing under Section 142.003(a)(19).

SECTION _____. Section 253.009(a), Health and Safety Code, is amended to read as follows:

(a) Each facility, ~~[or]~~ each agency licensed under Chapter 142, and each person exempt from licensing under Section 142.003(a)(19) shall notify its employees in a manner prescribed by the department:

- (1) about the employee misconduct registry; and
- (2) that an employee may not be employed if the employee is listed in the registry.

SECTION _____. Section 48.401(1), Human Resources Code, is

amended to read as follows:

(1) "Agency" means:

(A) an entity licensed under Chapter 142, Health and Safety Code; or

(B) a person exempt from licensing under Section 142.003(a)(19), Health and Safety Code.