

BILL ANALYSIS

C.S.H.B. 2266
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently under state law, there is no provision allowing for the audio or video monitoring of a resident's room in an assisted living facility. The Legislature adopted Senate Bill 177 last session that provides for electronic monitoring in nursing facilities. Residents of assisted living facilities usually need a lower level of care than nursing home patients. Occasionally, families of residents of assisted living facilities may feel more secure about their loved one if they could install an electronic monitoring device. CSHB 2266 would allow family members to place audio or video monitoring devices in the rooms of residents who live in assisted living facilities.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 2266 amends the Health and Safety Code by providing that an assisted living facility allow legal representatives of residents of assisted living centers to place audio or video monitoring equipment in the residents' rooms. The bill provides that Subchapter R of Chapter 242, relating to the placement of electronic devices in the rooms of nursing homes applies to assisted living centers except any administrative or criminal penalties would be assessed under Chapter 247 (the assisted living centers section) instead of Chapter 242 (the nursing home section).

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 2266 varies from the original bill by eliminating the limit on placement of monitoring equipment to only patients with Alzheimer's disease or related disorders and specifically incorporates by reference provisions of Subchapter R, Chapter 242 of the Health and Safety Code, except the administrative and criminal penalty provisions. CSHB 2266 provides that the penalty provisions of Chapter 247, the assisted living center chapter, apply.