

By: Jones of Dallas, Naishtat

H.B. No. 867

A BILL TO BE ENTITLED

AN ACT

relating to air conditioning systems in certain facilities.

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

SECTION 1. DEFINITION. In this Act, "department" means the Texas Department of Human Services.

SECTION 2. AIR CONDITIONING SYSTEMS FOR NURSING HOMES. (a) As soon as practicable after the effective date of this Act, the department shall review the rules and minimum standards applicable to an institution licensed under Chapter 242, Health and Safety Code, and adopted under Section 242.037, Health and Safety Code. The department shall ensure that the rules and minimum standards require each affected institution to use a central air conditioning system or a substantially similar air conditioning system that is capable of maintaining a temperature within the areas of the institution used by residents suitable for the comfort of the residents.

(b) Not later than January 1, 2004, the department shall amend the applicable rules and minimum standards as necessary to comply with Subsection (a) of this section.

(c) An amendment to the applicable rules and minimum standards made under Subsection (b) of this section applies to an institution or a part of an institution for which construction is begun after the effective date of the amendment, which may not be later than January 1, 2004, including a facility converted to use as

1 an institution after that date.

2 SECTION 3. AIR CONDITIONING SYSTEMS FOR ASSISTED LIVING
3 FACILITIES. (a) As soon as practicable after the effective date of
4 this Act, the department shall review the minimum standards
5 applicable to an assisted living facility licensed under Chapter
6 247, Health and Safety Code, and adopted under Section 247.026,
7 Health and Safety Code. The department shall ensure that the rules
8 and minimum standards require each affected facility to use a
9 central air conditioning system or a substantially similar air
10 conditioning system that is capable of maintaining a temperature
11 within the areas of the facility used by residents suitable for the
12 comfort of the residents.

13 (b) Not later than January 1, 2004, the department shall
14 amend the applicable minimum standards as necessary to comply with
15 Subsection (a) of this section.

16 (c) An amendment to the applicable minimum standards made
17 under Subsection (b) of this section applies to an assisted living
18 facility or a part of a facility for which construction is begun
19 after the effective date of the amendment, which may not be later
20 than January 1, 2004, including a facility converted to use as an
21 assisted living facility after that date.

22 SECTION 4. EFFECTIVE DATE. This Act takes effect September
23 1, 2003.