

Amend **SB 1055** (House Committee printing) as follows:

(1) Insert the following appropriately numbered SECTIONS and renumber the subsequent SECTIONS accordingly:

SECTION _____. (a) The Health and Human Services Commission shall convene a workgroup composed of providers, consumer advocates, building inspectors, fire marshals, and other individuals as appropriate to study state laws relating to the delivery of personal care services to four or more persons who are unrelated to the proprietor in settings that are not licensed as assisted living facilities, but are instead settings where residents receive personal care services through one or more home and community support services agencies. The workgroup shall consider:

(1) state licensing laws;

(2) the nature, extent, and differences of consumer needs and preferences;

(3) the qualifications of persons authorized to provide personal care services; and

(4) the settings in which personal care services are provided, including the life safety codes applicable to those settings.

(b) Not later than December 1, 2006, the workgroup, with the assistance of the Health and Human Services Commission, shall prepare and deliver a report and make recommendations on the issues studied to the governor, the lieutenant governor, and the speaker of the house of representatives.

(c) Notwithstanding any other law, the Department of Aging and Disability Services and the attorney general may not initiate or continue any action or investigation that seeks to enjoin or otherwise impose any sanction against a person for operating an assisted living facility without a license if the person offers personal care services to four or more persons who are unrelated to the proprietor in a setting that is not licensed as an assisted living facility, but is instead a setting where residents receive personal care services through one or more home and community support services agencies.

(d) This section expires September 1, 2007.

SECTION _____. Not later than June 1, 2007, the Department of Aging and Disability Services shall accept an accreditation survey and implement the procedures required by Section 247.032, Health and Safety Code, as added by this Act.

(2) Strike SECTION 2 of the bill and substitute the following:

SECTION _____. This Act takes effect September 1, 2005.