

BILL ANALYSIS

C.S.H.B. 669
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, "assisted living facility" means an establishment that:

- (A) furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment; and
- (B) provides personal care services.

The Department of Aging and Disability Services (DADS) performs licensing and enforcement activities related to assisted living facilities. However, facilities that provide services to fewer than four persons are not subject to such licensing and enforcement provisions. The risks of abuse, neglect, and exploitation are higher in these unlicensed facilities.

C.S.H.B. 669 will require the DADS commissioner to create a work group to study the feasibility of requiring such facilities to register with DADS and to study the best method to identify the facilities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

This bill requires the DADS commissioner to appoint a work group to study the feasibility of requiring facilities that furnish food, shelter, and personal care services to three or fewer people who are unrelated to the proprietor to register with DADS, and to study the best method to identify those facilities.

The bill describes the required membership of the work group, and provides that members who are state employees are not entitled to additional compensation for serving on the work group, and that other members of the work group are not entitled to compensation for serving on the work group.

The work group is directed to submit its findings to designated oversight authorities no later than January 1, 2007, and the provision authorizing establishment of the work group expires on that date.

The DADS commissioner is to appoint work group members no later than January 1, 2006.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill directed the Executive Commissioner of the Health and Human Services Commission by rule to establish a classification and registration for a facility that furnishes food, shelter, and personal care services to three or fewer people who are unrelated to the proprietor and provides personal care services. The original bill also sets forth detailed requirements relating to the registration and operation of such facilities. The substitute does not include the above provisions.

C.S.H.B. 669 79(R)

