

## **BILL ANALYSIS**

H.B. 1503  
By: Davis, John  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In the past, the predecessor agency to the Department of Aging and Disability Services often added to a nursing home's or assisted living facility's official final list of violations without having discussed these violations with the facility representative at the exit conference. The Texas Legislature attempted to address this problem by requiring an additional exit conference if additional violations were discovered during the review of field notes or preparation of the final official list of violations.

However, on occasion, the department has attempted to comply with the requirement for an additional exit conference simply by calling the facility's representative by telephone. This bill clarifies that a telephone call, a facsimile transmission or electronic mail will not satisfy the requirement for an additional exit conference. The exit conference must be held in person.

The bill also clarifies and makes consistent the statutory provisions concerning nursing homes and assisted living facilities relating to the submission of a corrective action plan to address the final official statement of violations.

### **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**

The bill provides that if the Department of Aging and Disability Services or its representative discovers additional violations after the exit conference with a nursing home or assisted living facility, that an additional exit conference must be held in person and may not be held over the telephone, by e-mail, or by fax.

The bill also clarifies and makes consistent the statutory provisions concerning nursing homes and assisted living facilities relating to the submission of a corrective action plan to address the final official statement of violations.

### **EFFECTIVE DATE**

September 1, 2005.