

## **BILL ANALYSIS**

C.S.H.B. 1558  
By: Davis, John  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There are two national accreditation organizations, the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) and the Commission on Accreditation of Rehabilitation Facilities, that have joined with States to develop regulations and public-private partnerships that encompass and promote the private accreditation standards and practices of human service providers such as hospitals, nursing homes and assisted living facilities.

Currently, JCAHO has entered into private accreditation partnerships with the Texas Health and Human Services Commission (HHSC) relative to hospitals and nursing homes, but not yet with assisted living facilities. C.S.H.B. 1558 allows assisted living facilities to benefit from the same private accreditation practices on a voluntary basis.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

The bill provides that the Department of Aging and Disability Services (DADS) shall accept an accreditation survey from an accreditation commission for an assisted living facility in lieu of certain DADS inspection and survey requirements, but only if:

- the accreditation commission's standards meet or exceed certain requirements and standards of HHSC and DADS;
- on-site inspections and surveys are conducted in accordance with HHSC standards;
- certain reporting requirements are satisfied;
- DADS has determined the need for, and obtained if required, any necessary federal waivers or authorizations.

The bill does not limit the authority of DADS to take appropriate action relating to an assisted living facility, such as suspending or revoking a license, conducting investigations, assessing penalties, or closing a facility. The bill does not require an assisted living facility to obtain accreditation from an accreditation commission. The bill includes certain timelines and reporting requirements associated with implementation of the Act.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original bill provides that one of the requirements for DADS' acceptance of an accreditation survey from an accreditation commission is if the assisted living facility is accredited by the accreditation commission under the accreditation commission's minimum standards. The committee substitute provides that one of the requirements for DADS' acceptance of an accreditation survey from an accreditation commission is if the accreditation commission's standards meet or exceed the requirements for licensing of the executive commissioner of HHSC for an assisted living facility.