

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1586
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Health & Human Services
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Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The United States Department of Housing and Urban Development (HUD) has recently recognized the benefits of "aging in place" and has begun an initiative to allow those who live in residential communities and are experiencing an increase in their clinical needs to remain in their current community, while having their increasing medical needs addressed. Under this program, HUD provides grants to convert independent living properties into assisted living environments.

However, current state law does not allow these residents to move directly into the assisted living environments that are within their residential care communities. These individuals must either be placed on a waiting list for such services or move into a long-term care setting. C.S.S.B. 1586 amends the Human Resources Code to allow these residents to be directly admitted to assisted living facilities, which have been converted through HUD grants, that are a part of their existing residential community.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this Act.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 161, Human Resources Code, by adding Section 161.074, as follows:

Sec. 161.074. WAIVER OF REQUIREMENTS FOR COMMUNITY HOUSING. (a) Requires the Department of Aging and Disability Services (DADS) to offer an individual the opportunity to enroll in the community-based alternatives program (program) at a facility that has units that have been converted to an assisted living facility under Section 202b, Housing Act of 1959 (12 U.S.C. Section 1701q-2) if certain requirements are met.

(b) Requires DADS to make an offer under Subsection (a) without regard to the program interest list.

(c) Requires program services provided to an individual in accordance with the section to be provided using funds allocated for the program.

SECTION 2. Requires the executive commissioner of the Health and Human Services Commission to adopt any rules required by Section 161.074, Human Resources Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date: September 1, 2005.