By: Davis of Harris H.B. No. 1503

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the additional exit conference required following

- 3 inspection, survey, or investigation of certain facilities.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. Sections 242.0445(b) and (c), Health and Safety
- 6 Code, are amended to read as follows:
- 7 (b) At the conclusion of an inspection, survey, or
- 8 investigation under Section 242.043 or 242.044, the department or
- 9 the department's representative conducting the inspection, survey,
- 10 or investigation shall discuss the violations with the facility's
- 11 management in an exit conference. The department or the
- 12 department's representative shall leave a written list of the
- 13 violations with the facility at the time of the exit conference. If
- 14 the department or the department's representative discovers any
- 15 additional violations during the review of field notes or
- 16 preparation of the official final list, the department or the
- department's representative shall give the facility an additional
- 18 exit conference regarding the additional violations. An additional
- 19 exit conference must be held in person and may not be held over the
- 20 <u>telephone</u>, by e-mail, or by fax.
- 21 (c) The facility shall submit a plan to correct the
- violations to the regional director not later than the 10th working
- 23 day after the date the facility receives the final official
- 24 statement of violations.

H.B. No. 1503

- 1 SECTION 2. Section 247.0271, Health and Safety Code, is
- 2 amended by amending Subsection (c) and adding Subsection (d) to
- 3 read as follows:
- 4 (c) If, after the initial exit conference, additional
- 5 violations are cited, the inspector shall conduct an additional
- 6 exit conference regarding the newly identified violations. An
- 7 <u>additional exit conference must be held in person and may not be</u>
- 8 held over the telephone, by e-mail, or by fax.
- 9 (d) The assisted living facility shall submit a plan of
- 10 correction to the regional director with supervisory authority over
- 11 the inspector not later than the 10th working day after the date the
- 12 facility receives the final official statement of violations.
- SECTION 3. Sections 252.044(b) and (c), Health and Safety
- 14 Code, are amended to read as follows:
- 15 (b) At the conclusion of an inspection, survey, or
- 16 investigation under this chapter, the department or the
- 17 department's representative conducting the inspection, survey, or
- 18 investigation shall discuss the violations with the facility's
- 19 management in an exit conference. The department or the
- 20 department's representative shall leave a written list of the
- 21 violations with the facility and the person designated by the
- facility to receive notice under Section 252.066 at the time of the
- 23 exit conference. If the department or the department's
- 24 representative discovers any additional violations during the
- 25 review of field notes or preparation of the official final list, the
- 26 department or the department's representative shall give the
- 27 facility an additional exit conference regarding the additional

H.B. No. 1503

- 1 violations. An additional exit conference must be held in person
- 2 and may not be held over the telephone, by e-mail, or by fax.
- 3 (c) The facility shall submit a plan to correct the
- 4 violations to the regional director not later than the 10th working
- 5 day after the date the facility receives the final official
- 6 statement of violations.
- 7 SECTION 4. This Act takes effect September 1, 2005.