

By: Davis of Harris

H.B. No. 1503

A BILL TO BE ENTITLED

AN ACT

relating to the additional exit conference required following inspection, survey, or investigation of certain facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 242.0445(b) and (c), Health and Safety Code, are amended to read as follows:

(b) At the conclusion of an inspection, survey, or investigation under Section 242.043 or 242.044, the department or the department's representative conducting the inspection, survey, or investigation shall discuss the violations with the facility's management in an exit conference. The department or the department's representative shall leave a written list of the violations with the facility at the time of the exit conference. If the department or the department's representative discovers any additional violations during the review of field notes or preparation of the official final list, the department or the department's representative shall give the facility an additional exit conference regarding the additional violations. An additional exit conference must be held in person and may not be held over the telephone, by e-mail, or by fax.

(c) The facility shall submit a plan to correct the violations to the regional director not later than the 10th working day after the date the facility receives the final official statement of violations.

SECTION 2. Section 247.0271, Health and Safety Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) If, after the initial exit conference, additional violations are cited, the inspector shall conduct an additional exit conference regarding the newly identified violations. An additional exit conference must be held in person and may not be held over the telephone, by e-mail, or by fax.

(d) The assisted living facility shall submit a plan of correction to the regional director with supervisory authority over the inspector not later than the 10th working day after the date the facility receives the final official statement of violations.

SECTION 3. Sections 252.044(b) and (c), Health and Safety Code, are amended to read as follows:

(b) At the conclusion of an inspection, survey, or investigation under this chapter, the department or the department's representative conducting the inspection, survey, or investigation shall discuss the violations with the facility's management in an exit conference. The department or the department's representative shall leave a written list of the violations with the facility and the person designated by the facility to receive notice under Section 252.066 at the time of the exit conference. If the department or the department's representative discovers any additional violations during the review of field notes or preparation of the official final list, the department or the department's representative shall give the facility an additional exit conference regarding the additional

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.