

1-1 By: Carona S.B. No. 1586  
1-2 (In the Senate - Filed March 11, 2005; March 22, 2005, read  
1-3 first time and referred to Committee on Health and Human Services;  
1-4 April 14, 2005, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 14, 2005,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1586 By: Carona

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to community-based assisted living services for certain  
1-11 elderly residents.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter D, Chapter 161, Human Resources Code,  
1-14 is amended by adding Section 161.074 to read as follows:

1-15 Sec. 161.074. WAIVER OF REQUIREMENTS FOR COMMUNITY HOUSING.

1-16 (a) The department shall offer an individual the opportunity to  
1-17 enroll in the community-based alternatives program at a facility  
1-18 that has units that have been converted to an assisted living  
1-19 facility under Section 202b, Housing Act of 1959 (12 U.S.C. Section  
1-20 1701q-2) if:

1-21 (1) the individual:

1-22 (A) is 62 years of age or older and resides in  
1-23 that facility;

1-24 (B) requests program services from the  
1-25 department;

1-26 (C) meets the eligibility criteria for the  
1-27 program; and

1-28 (D) qualifies for federal housing assistance  
1-29 under Section 8, United States Housing Act of 1937 (42 U.S.C.  
1-30 Section 1437f); and

1-31 (2) the facility meets the requirements to contract  
1-32 with the department as an assisted living provider in the  
1-33 community-based alternatives program.

1-34 (b) The department shall make an offer under Subsection (a)  
1-35 without regard to the community-based alternatives program  
1-36 interest list.

1-37 (c) Community-based alternatives program services provided  
1-38 to an individual in accordance with this section must be provided  
1-39 using funds allocated for the community-based alternatives  
1-40 program.

1-41 SECTION 2. The executive commissioner of the Health and  
1-42 Human Services Commission shall adopt any rules required by Section  
1-43 161.074, Human Resources Code, as added by this Act, as soon as  
1-44 practicable after the effective date of this Act.

1-45 SECTION 3. This Act takes effect September 1, 2005.

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