

Amend CSHB 1168 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) Subchapter B, Chapter 247, Health and Safety Code, is amended by adding Section 247.033 to read as follows:

Sec. 247.033. LISTING OF CERTAIN SMALL FACILITIES. (a) The executive commissioner of the Health and Human Services Commission by rule shall establish a system for listing each facility that:

(1) furnishes food, shelter, and personal care services to three or fewer people who are unrelated to the proprietor of the facility; and

(2) provides regular care to the residents of the facility.

(b) A facility described by Subsection (a) shall list with the department. A listing remains valid until surrendered.

(c) The department shall provide to a listed facility a copy of the listing. A listing must contain a provision that states: "THIS FACILITY IS NOT AN ASSISTED LIVING FACILITY. IT IS NOT LICENSED OR REGISTERED WITH THE DEPARTMENT OF AGING AND DISABILITY SERVICES. IT HAS NOT BEEN INSPECTED AND WILL NOT BE INSPECTED."
The operator of a listed facility is not required to display the listing at the home but shall make the listing available for examination.

(d) The department shall issue a listing to a facility under this section in both English and Spanish when the most recent federal census shows that more than one-half of the population in a municipality or in a commissioners precinct in a county in which the facility is located is of Hispanic origin or Spanish-speaking.

(e) A facility required to list with the department under this section is not otherwise subject to the standards, requirements, or penalties of this chapter.

(b) Not later than January 1, 2008, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 247.033, Health and Safety Code, as added by this section.

(c) Notwithstanding Section 247.033, Health and Safety

Code, as added by this section, a facility is not required to list with the Department of Aging and Disability Services before March 1, 2008.