By: Rose H.B. No. 2139

A BILL TO BE ENTITLED

AN ACT

relating to retaliation for reports of possible abuse, neglect, or exploitation of certain persons receiving home and community-based services.

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

SECTION 1. Subchapter H, Chapter 48, Human Resources Code, is amended by adding Section 48.358 to read as follows:

Sec. 48.358. RETALIATION PROHIBITED. (a) A provider may not retaliate against a person for filing a report or providing information in good faith relating to the possible abuse, neglect, or exploitation of an individual receiving services from the provider or residing in a residence owned, operated, or controlled by the provider in which services are provided.

(b) This section does not prohibit a provider from terminating an employee for a reason other than retaliation.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.