

By: Homer

H.B. No. 2474

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the transfer or discharge of certain residents in  
3 certain assisted living facilities.

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

5 SECTION 1. Subchapter D, Chapter 247, Health and Safety  
6 Code, is amended by adding Section 247.070 to read as follows:

7 Sec. 247.070. DISCHARGE OR TRANSFER OF RESIDENTS ENROLLED  
8 IN MEDICAID COMMUNITY-BASED ALTERNATIVES PROGRAM. An assisted  
9 living facility that accepts a resident who is enrolled in the  
10 Medicaid community-based alternatives program and that voluntarily  
11 ceases to accept payment from the program may not transfer or  
12 discharge the resident from the facility on the basis of the  
13 facility's voluntary withdrawal from the program, if the resident  
14 is residing in the facility on the day before the date the facility  
15 ceases to accept payment from the program.

16 SECTION 2. The change in law made by this Act applies only  
17 to the transfer or discharge of a resident from an assisted living  
18 facility accepting payment from the Medicaid community-based  
19 alternatives program if the transfer or discharge occurs on or  
20 after January 1, 2007.

21 SECTION 3. This Act takes effect September 1, 2007.