

By: Hughes

H.B. No. 3136

A BILL TO BE ENTITLED

AN ACT

relating to the definition of "institution" in the law regulating  
convalescent and nursing homes.

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

SECTION 1. Subdivision (6), Section 242.002, Health and  
Safety Code, as amended by Section 2, Chapter 693, Acts of the 75th  
Legislature, Regular Session, 1997, and as renumbered as  
Subdivision (10), Section 242.002, Health and Safety Code, by  
Section 1.02, Chapter 1159, Acts of the 75th Legislature, Regular  
Session, 1997, is reenacted as Subdivision (10), Section 242.002,  
Health and Safety Code, and amended to read as follows:

(10) "Institution" means:

(A) an establishment that:

(i) furnishes, in one or more facilities,  
food and shelter to four or more persons who are unrelated to the  
proprietor of the establishment; and

(ii) provides minor treatment under the  
direction and supervision of a physician licensed by the Texas  
Medical Board [~~State Board of Medical Examiners~~], or other services  
that meet some need beyond the basic provision of food, shelter, and  
laundry; or

(B) a foster care type residential facility that  
provides room and board to fewer than five persons who:

(i) are not related within the second

1 degree of consanguinity or affinity, as determined under Chapter  
2 573, Government Code, to the proprietor; and

3 (ii) because of their physical or mental  
4 limitation, or both, require a level of care and services suitable  
5 to their needs that contributes to their health, comfort, and  
6 welfare.

7 SECTION 2. This Act takes effect September 1, 2007.