

By: Nelson

S.B. No. 27

A BILL TO BE ENTITLED

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AN ACT

relating to a pilot program to educate residents and families of residents of nursing homes and intermediate care facilities for the mentally retarded about advance care planning.

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

SECTION 1. ADVANCE CARE PLANNING PILOT PROGRAM. (a) The Department of Aging and Disability Services shall develop and implement a pilot program to increase the use of advance directives by residents of nursing homes and intermediate care facilities for the mentally retarded in this state by educating the residents and the families of residents about advance care planning.

(b) The pilot program shall provide for a process to educate residents and the families of residents regarding:

- (1) the legal issues associated with advance directives;
- (2) the health care choices available to a person with a terminal or irreversible condition;
- (3) the proper completion of advance directives; and
- (4) the importance of discussing advance directives with family, friends, advisers, and health care providers.

SECTION 2. RULES. The executive commissioner of the Health and Human Services Commission shall adopt rules to implement this Act.

SECTION 3. REPORT. Not later than October 1, 2010, the

1 Department of Aging and Disability Services shall submit a report
2 to the governor, the lieutenant governor, the speaker of the house
3 of representatives, and the appropriate standing committees of the
4 legislature, regarding the pilot program that includes:

5 (1) an evaluation of the effectiveness of the pilot
6 program; and

7 (2) a recommendation to continue, expand, or eliminate
8 the pilot program.

9 SECTION 4. EXPIRATION. This Act expires September 1, 2011.

10 SECTION 5. EFFECTIVE DATE. This Act takes effect
11 immediately if it receives a vote of two-thirds of all the members
12 elected to each house, as provided by Section 39, Article III, Texas
13 Constitution. If this Act does not receive the vote necessary for
14 immediate effect, this Act takes effect September 1, 2007.