

1-1 By: Nelson S.B. No. 27
1-2 (In the Senate - Filed November 13, 2006; January 23, 2007,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; February 26, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 February 26, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 27 By: Nelson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a pilot program to educate residents and families of
1-11 residents of nursing homes and intermediate care facilities for the
1-12 mentally retarded about advance care planning.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. ADVANCE CARE PLANNING PILOT PROGRAM. (a) The
1-15 Department of Aging and Disability Services shall develop and
1-16 implement a pilot program to increase the use of advance directives
1-17 by residents of nursing homes and intermediate care facilities for
1-18 the mentally retarded in this state by educating the residents and
1-19 the families of residents about advance care planning.

1-20 (b) The pilot program shall provide for a process to educate
1-21 residents and the families of residents regarding:

1-22 (1) the legal issues associated with advance
1-23 directives;

1-24 (2) the health care choices available to a person with
1-25 a terminal or irreversible condition;

1-26 (3) the proper completion of advance directives; and

1-27 (4) the importance of discussing advance directives
1-28 with family, friends, advisers, and health care providers.

1-29 SECTION 2. RULES. The executive commissioner of the Health
1-30 and Human Services Commission shall adopt rules to implement this
1-31 Act.

1-32 SECTION 3. REPORT. Not later than October 1, 2010, the
1-33 Department of Aging and Disability Services shall submit a report
1-34 to the governor, the lieutenant governor, the speaker of the house
1-35 of representatives, and the appropriate standing committees of the
1-36 legislature, regarding the pilot program that includes:

1-37 (1) an evaluation of the effectiveness of the pilot
1-38 program; and

1-39 (2) a recommendation to continue, expand, or eliminate
1-40 the pilot program.

1-41 SECTION 4. EXPIRATION. This Act expires September 1, 2011.

1-42 SECTION 5. EFFECTIVE DATE. This Act takes effect
1-43 immediately if it receives a vote of two-thirds of all the members
1-44 elected to each house, as provided by Section 39, Article III, Texas
1-45 Constitution. If this Act does not receive the vote necessary for
1-46 immediate effect, this Act takes effect September 1, 2007.

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