

1-1 By: Seliger S.B. No. 744
1-2 (In the Senate - Filed February 19, 2007; March 6, 2007,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 19, 2007, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; March 19, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to retaliation for reports of possible abuse, neglect, or
1-9 exploitation of certain persons receiving home and community-based
1-10 services.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter H, Chapter 48, Human Resources Code,
1-13 is amended by adding Section 48.358 to read as follows:

1-14 Sec. 48.358. RETALIATION PROHIBITED. (a) A provider may
1-15 not retaliate against a person for filing a report or providing
1-16 information in good faith relating to the possible abuse, neglect,
1-17 or exploitation of an individual receiving services from the
1-18 provider or residing in a residence owned, operated, or controlled
1-19 by the provider in which services are provided.

1-20 (b) This section does not prohibit a provider from
1-21 terminating an employee for a reason other than retaliation.

1-22 SECTION 2. This Act takes effect immediately if it receives
1-23 a vote of two-thirds of all the members elected to each house, as
1-24 provided by Section 39, Article III, Texas Constitution. If this
1-25 Act does not receive the vote necessary for immediate effect, this
1-26 Act takes effect September 1, 2007.

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