

By: Homer

H.B. No. 1186

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Subchapter D, Chapter 247, Health and Safety Code, is amended by adding Section 247.071 to read as follows:

Sec. 247.071. DISCHARGE OR TRANSFER OF RESIDENTS ENROLLED IN MEDICAID COMMUNITY-BASED ALTERNATIVES PROGRAM. An assisted living facility that accepts a resident who is enrolled in the Medicaid community-based alternatives program and that voluntarily ceases to accept payment from the program may not transfer or discharge the resident from the facility on the basis of the facility's voluntary withdrawal from the program if the resident is residing in the facility on the day before the date the facility ceases to accept payment from the program.

SECTION 2. The change in law made by this Act applies only to an assisted living facility accepting payment from the Medicaid community-based alternatives program on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2009.