

By: Veasey, Pickett

H.B. No. 2191

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting contact between an employee of a facility  
3 that serves the elderly or disabled persons, whose criminal history  
4 has not been verified, and a patient or resident of the facility.

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

6 SECTION 1. Section 250.003, Health and Safety Code, is  
7 amended by adding Subsection (a-1) to read as follows:

8 (a-1) If a facility employs a person pending a criminal  
9 history check, the facility shall ensure that the person has no  
10 direct contact with a consumer until the facility obtains the  
11 person's criminal history record information and verifies the  
12 person's employability under Section 250.006.

13 SECTION 2. The change in law made by this Act applies only  
14 to the initial employment of a person by a facility regulated by  
15 Chapter 250, Health and Safety Code, on or after the effective date  
16 of this Act. The employment of a person by a facility regulated by  
17 Chapter 250, Health and Safety Code, before the effective date of  
18 this Act is governed by the law in effect at the time the facility  
19 hired the employee, and the former law is continued in effect for  
20 that purpose.

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