

1-1 By: Veasey, et al. (Senate Sponsor - Nelson) H.B. No. 2191
1-2 (In the Senate - Received from the House May 5, 2009;
1-3 May 6, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 13, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 13, 2009, sent to printer.)

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

1-8 relating to prohibiting contact between an employee of a facility
1-9 that serves the elderly or disabled persons, whose criminal history
1-10 has not been verified, and a patient or resident of the facility.

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

1-12 SECTION 1. Section 250.003, Health and Safety Code, is
1-13 amended by adding Subsection (a-1) to read as follows:

1-14 (a-1) If a facility employs a person pending a criminal
1-15 history check, the facility shall ensure that the person has no
1-16 direct contact with a consumer until the facility obtains the
1-17 person's criminal history record information and verifies the
1-18 person's employability under Section 250.006.

1-19 SECTION 2. The change in law made by this Act applies only
1-20 to the initial employment of a person by a facility regulated by
1-21 Chapter 250, Health and Safety Code, on or after the effective date
1-22 of this Act. The employment of a person by a facility regulated by
1-23 Chapter 250, Health and Safety Code, before the effective date of
1-24 this Act is governed by the law in effect at the time the facility
1-25 hired the employee, and the former law is continued in effect for
1-26 that purpose.

1-27 SECTION 3. This Act takes effect September 1, 2009.

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