

By: Callegari

H.B. No. 4317

Substitute the following for H.B. No. 4317:

By: Rose

C.S.H.B. No. 4317

A BILL TO BE ENTITLED

AN ACT

relating to certain reporting duties of the attorney general and the Department of Aging and Disability Services.

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

SECTION 1. Sections 242.005(a) and (c), Health and Safety Code, are amended to read as follows:

(a) The department [~~and the attorney general each~~] shall prepare annually a full report of the operation and administration of the department's [~~their respective~~] responsibilities under this chapter, including recommendations and suggestions considered advisable.

(c) The department [~~and the attorney general~~] shall submit the required report [~~reports~~] to the governor and the legislature not later than January 31 [~~October 1~~] of each year.

SECTION 2. Sections 247.050(a) and (c), Health and Safety Code, are amended to read as follows:

(a) The executive commissioner of the Health and Human Services Commission [~~board~~] shall adopt procedures to monitor the status of unlicensed assisted living facilities. As part of these procedures, the department shall:

(1) maintain a registry of all reported unlicensed assisted living facilities for the purpose of periodic follow-up by the field staff in each region; and

(2) prepare an annual [~~a quarterly~~] report that shows

the number of:

(A) complaints relating to unlicensed assisted living facilities that are received;

(B) complaints that are investigated;

(C) unsubstantiated complaints;

(D) substantiated complaints; and

(E) cases referred to the attorney general.

(c) The department ~~[and the attorney general]~~ shall file a copy of the annual report ~~[quarterly reports]~~ required by this section with the substantive committees of each house of the legislature with jurisdiction over regulation of assisted living facilities.

SECTION 3. Section 61.0815(c), Education Code, is amended to read as follows:

(c) The ~~[attorney general and the]~~ president of each institution of higher education shall collect all necessary data for inclusion in the report required by this section.

SECTION 4. The following provisions are repealed:

(1) Section 2107.005, Government Code;

(2) Section 247.050(b), Health and Safety Code; and

(3) Section 240.903, Local Government Code.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.