

By: Nelson

S.B. No. 345

A BILL TO BE ENTITLED

AN ACT

relating to screening health care personnel of home and community support services agencies for tuberculosis.

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

SECTION 1. Subsection (b), Section 142.012, Health and Safety Code, is amended to read as follows:

(b) Department rules must ~~[The board by rule shall]~~ set minimum standards for home and community support services agencies licensed under this chapter that relate to:

(1) qualifications for professional and nonprofessional personnel, including volunteers;

(2) supervision of professional and nonprofessional personnel, including volunteers;

(3) the implementation, for professional and nonprofessional personnel, including volunteers, who have direct contact with the agency's clients, of a tuberculosis surveillance program, based on the most current guidelines for preventing the transmission of Mycobacterium tuberculosis in health care facilities published by the Centers for Disease Control and Prevention of the United States Public Health Service;

(4) the provision and coordination of treatment and services, including support and bereavement services, as appropriate;

(5) [4] ~~[4]~~ the management, ownership, and

1 organizational structure, including lines of authority and
2 delegation of responsibility and, as appropriate, the composition
3 of an interdisciplinary team;

4 (6) [~~(5)~~] clinical and business records;

5 (7) [~~(6)~~] financial ability to carry out the functions
6 as proposed;

7 (8) [~~(7)~~] safety, fire prevention, and sanitary
8 standards for residential units and inpatient units; and

9 (9) [~~(8)~~] any other aspects of home health, hospice,
10 or personal assistance services as necessary to protect the public.

11 SECTION 2. The executive commissioner of the Health and
12 Human Services Commission shall adopt rules required by Subsection
13 (b), Section 142.012, Health and Safety Code, as amended by this
14 Act, not later than January 1, 2010.

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