

1-1 By: Nelson S.B. No. 345  
1-2 (In the Senate - Filed December 8, 2008; February 11, 2009,  
1-3 read first time and referred to Committee on Health and Human  
1-4 Services; March 17, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 March 17, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 345 By: Nelson

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to screening health care personnel of home and community  
1-11 support services agencies for tuberculosis.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (b), Section 142.012, Health and  
1-14 Safety Code, is amended to read as follows:

1-15 (b) Department rules must ~~[The board by rule shall]~~ set  
1-16 minimum standards for home and community support services agencies  
1-17 licensed under this chapter that relate to:

1-18 (1) qualifications for professional and  
1-19 nonprofessional personnel, including volunteers;

1-20 (2) supervision of professional and nonprofessional  
1-21 personnel, including volunteers;

1-22 (3) the implementation, for professional and  
1-23 nonprofessional personnel, including volunteers, who have direct  
1-24 contact with the agency's clients, of a tuberculosis surveillance  
1-25 program, based on the most current guidelines for preventing the  
1-26 transmission of Mycobacterium tuberculosis in health care  
1-27 facilities published by the Centers for Disease Control and  
1-28 Prevention of the United States Public Health Service;

1-29 (4) the provision and coordination of treatment and  
1-30 services, including support and bereavement services, as  
1-31 appropriate;

1-32 (5) ~~[(4)]~~ the management, ownership, and  
1-33 organizational structure, including lines of authority and  
1-34 delegation of responsibility and, as appropriate, the composition  
1-35 of an interdisciplinary team;

1-36 (6) ~~[(5)]~~ clinical and business records;

1-37 (7) ~~[(6)]~~ financial ability to carry out the functions  
1-38 as proposed;

1-39 (8) ~~[(7)]~~ safety, fire prevention, and sanitary  
1-40 standards for residential units and inpatient units; and

1-41 (9) ~~[(8)]~~ any other aspects of home health, hospice,  
1-42 or personal assistance services as necessary to protect the public.

1-43 SECTION 2. The executive commissioner of the Health and  
1-44 Human Services Commission shall adopt rules required by Subsection  
1-45 (b), Section 142.012, Health and Safety Code, as amended by this  
1-46 Act, not later than January 1, 2010.

1-47 SECTION 3. This Act takes effect September 1, 2009.

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