

By: Carona

S.B. No. 1932

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the licensing requirements of hospitals temporarily
3 providing outpatient dialysis services to a person because of a
4 disaster.

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

6 SECTION 1. Section 251.012, Health and Safety Code, is
7 amended to read as follows:

8 Sec. 251.012. EXEMPTIONS FROM LICENSING REQUIREMENT. The
9 following facilities are not required to be licensed under this
10 chapter:

11 (1) a home and community support services agency
12 licensed under Chapter 142 with a home dialysis designation;

13 (2) a hospital licensed under Chapter 241 that
14 provides dialysis only to:

15 (A) individuals receiving inpatient services
16 from the hospital; or

17 (B) individuals temporarily receiving outpatient
18 services from the hospital due to a disaster declared by the
19 governor or a federal disaster declared by the president of the
20 United States occurring in this state or another state during the
21 term of the disaster declaration; or

22 (3) the office of a physician unless the office is used
23 primarily as an end stage renal disease facility.

24 SECTION 2. The change in law made by this Act applies only

1 to dialysis services provided on or after the effective date of this
2 Act. Dialysis services provided before the effective date of this
3 Act are covered by the law in effect immediately before that date,
4 and the former law is continued in effect for that purpose.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2009.