

1-1 By: Carona S.B. No. 1932
1-2 (In the Senate - Filed March 12, 2009; March 24, 2009, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 24, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1932 By: Deuell

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

1-10 relating to the licensing requirements of hospitals temporarily
1-11 providing outpatient dialysis services to a person because of a
1-12 disaster.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 251.012, Health and Safety Code, is
1-15 amended to read as follows:

1-16 Sec. 251.012. EXEMPTIONS FROM LICENSING REQUIREMENT. The
1-17 following facilities are not required to be licensed under this
1-18 chapter:

1-19 (1) a home and community support services agency
1-20 licensed under Chapter 142 with a home dialysis designation;

1-21 (2) a hospital licensed under Chapter 241 that
1-22 provides dialysis only to:

1-23 (A) individuals receiving inpatient services
1-24 from the hospital; or

1-25 (B) individuals temporarily receiving outpatient
1-26 services from the hospital due to a disaster declared by the
1-27 governor or a federal disaster declared by the president of the
1-28 United States occurring in this state or another state during the
1-29 term of the disaster declaration; or

1-30 (3) the office of a physician unless the office is used
1-31 primarily as an end stage renal disease facility.

1-32 SECTION 2. The change in law made by this Act applies only
1-33 to dialysis services provided on or after the effective date of this
1-34 Act. Dialysis services provided before the effective date of this
1-35 Act are covered by the law in effect immediately before that date,
1-36 and the former law is continued in effect for that purpose.

1-37 SECTION 3. This Act takes effect immediately if it receives
1-38 a vote of two-thirds of all the members elected to each house, as
1-39 provided by Section 39, Article III, Texas Constitution. If this
1-40 Act does not receive the vote necessary for immediate effect, this
1-41 Act takes effect September 1, 2009.

1-42 * * * * *