

1-1 By: Seliger S.B. No. 2273
1-2 (In the Senate - Filed March 13, 2009; March 31, 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. 2273 By: Shapleigh

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

1-10 relating to certain reporting duties of the attorney general and
1-11 the Department of Aging and Disability Service.

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

1-13 SECTION 1. Subsections (a) and (c), Section 242.005, Health
1-14 and Safety Code, are amended to read as follows:

1-15 (a) The department [~~and the attorney general each~~] shall
1-16 prepare annually a full report of the operation and administration
1-17 of the department's [~~their respective~~] responsibilities under this
1-18 chapter, including recommendations and suggestions considered
1-19 advisable.

1-20 (c) The department [~~and the attorney general~~] shall submit
1-21 the required report [~~reports~~] to the governor and the legislature
1-22 not later than January 31 [~~October 1~~] of each year.

1-23 SECTION 2. Subsections (a) and (c), Section 247.050, Health
1-24 and Safety Code, are amended to read as follows:

1-25 (a) The executive commissioner of the Health and Human
1-26 Services Commission [~~board~~] shall adopt procedures to monitor the
1-27 status of unlicensed assisted living facilities. As part of these
1-28 procedures, the department shall:

1-29 (1) maintain a registry of all reported unlicensed
1-30 assisted living facilities for the purpose of periodic follow-up by
1-31 the field staff in each region; and

1-32 (2) prepare an annual [~~a quarterly~~] report that shows
1-33 the number of:

1-34 (A) complaints relating to unlicensed assisted
1-35 living facilities that are received;

1-36 (B) complaints that are investigated;

1-37 (C) unsubstantiated complaints;

1-38 (D) substantiated complaints; and

1-39 (E) cases referred to the attorney general.

1-40 (c) The department [~~and the attorney general~~] shall file a
1-41 copy of the annual report [~~quarterly reports~~] required by this
1-42 section with the substantive committees of each house of the
1-43 legislature with jurisdiction over regulation of assisted living
1-44 facilities.

1-45 SECTION 3. Subsection (c), Section 61.0815, Education Code,
1-46 is amended to read as follows:

1-47 (c) The [~~attorney general and the~~] president of each
1-48 institution of higher education shall collect all necessary data
1-49 for inclusion in the report required by this section.

1-50 SECTION 4. The following provisions are repealed:

1-51 (1) Section 2107.005, Government Code;

1-52 (2) Subsection (b), Section 247.050, Health and Safety
1-53 Code; and

1-54 (3) Section 240.903, Local Government Code.

1-55 SECTION 5. This Act takes effect immediately if it receives
1-56 a vote of two-thirds of all the members elected to each house, as
1-57 provided by Section 39, Article III, Texas Constitution. If this
1-58 Act does not receive the vote necessary for immediate effect, this
1-59 Act takes effect September 1, 2009.

1-60 * * * * *