

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 8, 2009

TO: Honorable Patrick M. Rose, Chair, House Committee on Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2971 by Coleman (Relating to life safety code inspections of assisted living facilities.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code as it relates to life safety code inspections of assisted living facilities.

SECTION 1 of the bill would remove the prohibition on issuing a provisional license after December 31, 1999. The bill would also require the Department of Aging and Disability Services (DADS) to automatically issue a provisional license to newly constructed facilities, if certain requirements are met. Under current law DADS is authorized, but not required, to automatically issue a provisional license to newly constructed facilities if these requirements are met.

SECTION 2 of the bill would require DADS, on or before January 1, 2010, to implement a process whereby an applicant for an initial assisted living facility license or renewal may obtain a life safety code and physical plant survey within five business days of its request for the survey provided that the applicant pays for the cost of an expedited survey; DADS is authorized to accept payment for such surveys.

SECTION 3 of the bill would expand the definition of accreditation commission to include other organizations approved by the commissioner.

It is assumed that the provisions of the bill could be implemented within existing resources. Section 2 of the bill allows DADS to charge a fee for expedited surveys. It is assumed that any increase in expenditures for implementation of this provision would be offset by a gain in revenue that the agency would accomplish through fee collections; however, the increased revenue would need to be specifically appropriated to DADS in the General Appropriations Act.

The bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 539 Aging and Disability Services, Department of

LBB Staff: JOB, CL, SJ, LR