

## **BILL ANALYSIS**

S.B. 795  
By: Nelson  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Nurse aides provide direct care, such as assistance with eating, bathing, and housekeeping, to persons who require long-term care. While under observation during licensing inspections in recent years, many certified nurse aides have not been able to demonstrate the proper skills to care for patients. Recent recommendations by the Institute of Medicine and certain testimony before the United States Congress have demonstrated a desire among interested parties to require 100 hours of education and continuing education for direct-care workers such as nurse aides.

S.B. 795 seeks to improve the quality of long-term care provided by direct-care workers by increasing the number of hours of training required for certified nurse aides.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTIONS 1 and 2 of this bill.

### **ANALYSIS**

S.B. 795 amends the Health and Safety Code to require an applicant for listing on the nurse aid registry maintained by the Department of Aging and Disability Services (DADS) to complete a training program approved by DADS that includes not less than 100 hours of course work as specified by rule and a competency evaluation on completion of the training program. The bill specifies that a listing on the nurse aide registry expires on the second anniversary of the date of the listing. The bill requires a nurse aide, in order to renew the nurse aide's listing on the registry, to complete at least 24 hours of in-service education every two years, including training in geriatrics and, if applicable, in the care of patients with Alzheimer's disease. The bill requires the executive commissioner of the Health and Human Services Commission, not later than May 1, 2013, to adopt rules as necessary to implement the bill's provisions.

S.B. 795 makes its provisions applicable only to an application for initial listing on the nurse aide registry or for renewal of a listing on the registry that is filed on or after September 1, 2013. The bill entitles a person listed as a nurse aide on the registry before September 1, 2013, to continue to be included on the registry without fulfilling any additional educational training or evaluation requirements established by the executive commissioner under the bill's provisions, if the person satisfies the other qualifications required by the executive commissioner and by provisions of law relating to the registry.

### **EFFECTIVE DATE**

September 1, 2011.