

By: Coleman

H.B. No. 3197

A BILL TO BE ENTITLED

AN ACT

1
2 relating to creating a pilot program to implement the culture
3 change model of care at certain state supported living centers.

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

5 SECTION 1. DEFINITION. In this Act, "department" means the
6 Department of Aging and Disability Services.

7 SECTION 2. CULTURE CHANGE PILOT PROGRAM. (a) The executive
8 commissioner of the Health and Human Services Commission shall
9 create a pilot program to implement the culture change model of care
10 at one state supported living center. In implementing the pilot
11 program, the department shall, to the extent possible, implement
12 processes, policies, and practices designed to:

13 (1) shift decision-making to the individual with the
14 disability;

15 (2) improve the quality of care; and

16 (3) improve the workforce.

17 (b) The executive commissioner of the Health and Human
18 Services Commission shall select the state supported living center
19 that is most representative of the state supported living center
20 system to participate in the pilot program based on the following
21 considerations:

22 (1) the physical characteristics of the campus;

23 (2) the size of the staff;

24 (3) the turnover rate of the staff;

- 1 (4) the residents' level of need and disability;
- 2 (5) the number of confirmed abuse allegations;
- 3 (6) the frequency of the use of restraints;
- 4 (7) the opportunity for community involvement; and
- 5 (8) the leadership of the center.

6 (c) The department may hire a consultant with a proven
7 record of implementing the culture change process in long-term care
8 facilities serving persons with mental and physical disabilities to
9 assist in the implementation of the pilot program.

10 SECTION 3. REPORT. (a) Not later than May 1, 2012, the
11 department shall submit a report to the governor and the
12 Legislative Budget Board on the pilot program that includes:

13 (1) a detailed description of the culture change
14 process at the state supported living center;

15 (2) specific examples of changes in processes,
16 policies, and practices that have occurred or will occur at the
17 state supported living center as a result of the implementation of
18 the culture change model of care;

19 (3) a timeline of the implementation of new policies,
20 processes, and practices;

21 (4) feedback from professional and direct care staff
22 regarding the culture change process;

23 (5) recommendations for future goals for
24 implementation of the culture change model of care at other state
25 supported living centers; and

26 (6) the following information from the state supported
27 living center chosen for the pilot program:

1 (A) the number of allegations of abuse, neglect,
2 or exploitation, as defined by 40 T.A.C. Section 711.425, that the
3 department determines to be unfounded, as defined by 40 T.A.C.
4 Section 711.421;

5 (B) the number of allegations of abuse, neglect,
6 or exploitation, as defined by 40 T.A.C. Section 711.425, that the
7 department determines to be confirmed, as defined by 40 T.A.C.
8 Section 711.421;

9 (C) the rate of staff turnover;

10 (D) the frequency of the use of restraints,
11 identified by type;

12 (E) the number of individual resident outings and
13 group outings;

14 (F) the results of the employee job satisfaction
15 survey;

16 (G) the consistency of staff assignments to the
17 same group of residents; and

18 (H) any other information relevant to improving
19 the quality of care at state supported living centers.

20 (b) The department shall file a quarterly report with the
21 Legislative Budget Board for each state supported living center
22 that includes:

23 (1) the number of allegations of abuse, neglect, or
24 exploitation, as defined by 40 T.A.C. Section 711.425, that the
25 department determines to be unfounded, as defined by 40 T.A.C.
26 Section 711.421; and

27 (2) the number of allegations of abuse, neglect, or

1 exploitation, as defined by 40 T.A.C. Section 711.425, that the
2 department determines to be confirmed, as defined by 40 T.A.C.
3 Section 711.421.

4 (c) The department shall input the information from the
5 quarterly report under Subsection (b) into the Legislative Budget
6 Board's automated budget and evaluation system.

7 SECTION 4. EXPIRATION. This Act expires September 1, 2013.

8 SECTION 5. EFFECTIVE DATE. This Act takes effect
9 immediately if it receives a vote of two-thirds of all the members
10 elected to each house, as provided by Section 39, Article III, Texas
11 Constitution. If this Act does not receive the vote necessary for
12 immediate effect, this Act takes effect September 1, 2011.