

By: Zerwas

H.B. No. 3299

A BILL TO BE ENTITLED

AN ACT

relating to services provided by a health care professional at an assisted living facility.

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

SECTION 1. Section 247.002(1), Health and Safety Code, is amended to read as follows:

(1) "Assisted living facility" means an establishment that:

(A) furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment;

(B) provides:

(i) personal care services; or

(ii) administration of medication by a person licensed or otherwise authorized in this state to administer the medication; ~~and~~

(C) may provide assistance with or supervision of the administration of medication; and

(D) may provide skilled nursing services for a limited duration or to facilitate the provision of hospice services.

SECTION 2. Section 247.067(b), Health and Safety Code, is amended to read as follows:

(b) Unless otherwise prohibited by law, a [A] health care

1 professional may be employed by an assisted living facility to  
2 provide at the facility to the facility's residents services that  
3 are authorized by this chapter and within the professional's scope  
4 of practice [~~to a resident of an assisted living facility at the~~  
5 ~~facility~~]. This subsection does not authorize a facility to  
6 provide ongoing services comparable to the services available in an  
7 institution licensed under Chapter 242. A health care professional  
8 providing services under this subsection shall maintain medical  
9 records of those services in accordance with the licensing,  
10 certification, or other regulatory standards applicable to the  
11 health care professional under law.

12 SECTION 3. This Act takes effect September 1, 2011.