

By: Nelson

S.B. No. 795

A BILL TO BE ENTITLED

AN ACT

relating to regulation of nurse aides.

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

SECTION 1. Chapter 250, Health and Safety Code, is amended by adding Section 250.0035 to read as follows:

Sec. 250.0035. TRAINING REQUIREMENTS; CONTINUING EDUCATION. (a) To be listed on the nurse aide registry, an applicant must complete a training program approved by the Department of Aging and Disability Services that includes:

(1) not less than 120 hours and not more than 359 hours of course work as specified by rule; and

(2) a competency evaluation on completion of the training program.

(b) A listing on the nurse aide registry expires on the second anniversary of the date of the listing. A nurse aide must complete at least 12 hours of continuing education annually to renew the nurse aide's listing on the registry.

(c) The executive commissioner of the Health and Human Services Commission shall adopt rules as necessary to implement this section.

SECTION 2. (a) The executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 250.0035, Health and Safety Code, as added by this Act, not later than May 1, 2012.

1           (b) Section 250.0035, Health and Safety Code, as added by  
2 this Act, applies only to an application for initial listing on the  
3 nurse aide registry or for renewal of a listing on the registry  
4 filed on or after September 1, 2012. An application filed before  
5 that date is governed by the law in effect immediately before the  
6 effective date of this Act, and the former law is continued in  
7 effect for that purpose.

8           (c) A person listed as a nurse aide on the nurse aide  
9 registry under Chapter 250, Health and Safety Code, before  
10 September 1, 2012, is entitled to continue to be included on the  
11 nurse aide registry without fulfilling any additional educational  
12 training or evaluation requirements established by the executive  
13 commissioner of the Health and Human Services Commission under  
14 Section 250.0035(a), Health and Safety Code, as added by this Act,  
15 if the person satisfies the other qualifications required by the  
16 executive commissioner and Chapter 250.

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