

1-1 By: Nelson S.B. No. 795
1-2 (In the Senate - Filed February 18, 2011; March 1, 2011,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 28, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 March 28, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 795 By: Nelson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to regulation of nurse aides.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 250, Health and Safety Code, is amended
1-13 by adding Section 250.0035 to read as follows:

1-14 Sec. 250.0035. TRAINING REQUIREMENTS; CONTINUING
1-15 EDUCATION. (a) To be listed on the nurse aide registry, an
1-16 applicant must complete a training program approved by the
1-17 Department of Aging and Disability Services that includes:

1-18 (1) not less than 100 hours of course work as specified
1-19 by rule; and

1-20 (2) a competency evaluation on completion of the
1-21 training program.

1-22 (b) A listing on the nurse aide registry expires on the
1-23 second anniversary of the date of the listing.

1-24 (c) To renew a nurse aide's listing on the registry, the
1-25 nurse aide must complete at least 24 hours of in-service education
1-26 every two years, including training in geriatrics and, if
1-27 applicable, in the care of patients with Alzheimer's disease.

1-28 (d) The executive commissioner of the Health and Human
1-29 Services Commission shall adopt rules as necessary to implement
1-30 this section.

1-31 SECTION 2. (a) The executive commissioner of the Health
1-32 and Human Services Commission shall adopt the rules necessary to
1-33 implement Section 250.0035, Health and Safety Code, as added by
1-34 this Act, not later than May 1, 2013.

1-35 (b) Section 250.0035, Health and Safety Code, as added by
1-36 this Act, applies only to an application for initial listing on the
1-37 nurse aide registry or for renewal of a listing on the registry
1-38 filed on or after September 1, 2013. An application filed before
1-39 that date is governed by the law in effect immediately before the
1-40 effective date of this Act, and the former law is continued in
1-41 effect for that purpose.

1-42 (c) A person listed as a nurse aide on the nurse aide
1-43 registry under Chapter 250, Health and Safety Code, before
1-44 September 1, 2013, is entitled to continue to be included on the
1-45 nurse aide registry without fulfilling any additional educational
1-46 training or evaluation requirements established by the executive
1-47 commissioner of the Health and Human Services Commission under
1-48 Subsection (a), Section 250.0035, Health and Safety Code, as added
1-49 by this Act, if the person satisfies the other qualifications
1-50 required by the executive commissioner and Chapter 250, Health and
1-51 Safety Code.

1-52 SECTION 3. This Act takes effect September 1, 2011.

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