

By: Rodriguez

S.B. No. 1045

A BILL TO BE ENTITLED

AN ACT

relating to an evaluation of the state supported living center system.

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

SECTION 1. EVALUATION OF STATE SUPPORTED LIVING CENTERS.

(a) In this section:

(1) "Commission" means the Health and Human Services Commission.

(2) "Community services provider" means a provider of services under a home and community-based services waiver program and a licensed ICF-MR provider with fewer than 16 beds.

(3) "Department" means the Department of Aging and Disability Services.

(4) "State supported living center" has the meaning assigned by Section 531.002, Health and Safety Code.

(b) The commission and the department shall contract with an independent entity to conduct an evaluation of the state supported living center system.

(c) In evaluating a state supported living center, the independent entity shall consider the following factors:

(1) the proximity of the state supported living center to other state supported living centers and the geographical distribution of other state supported living centers;

(2) the proximity of the state supported living

1 centers to community services providers and the geographical
2 distribution of those providers;

3 (3) the administrative cost of the state supported
4 living center;

5 (4) the availability of other employment
6 opportunities in the area for employees who would be displaced if
7 the state supported living center were consolidated or closed,
8 including additional employment that may be needed by community
9 services providers on consolidation or closure;

10 (5) the condition of existing state supported living
11 center structures and existing community services providers;

12 (6) the marketability of the property where the state
13 supported living center is located, as determined in consultation
14 with persons with business development expertise, and whether the
15 property should be sold or converted to another use if the state
16 supported living center is consolidated or closed;

17 (7) the ease of client transfer capability;

18 (8) the capacity at other state supported living
19 centers to accommodate persons transferred from a facility if it is
20 consolidated or closed;

21 (9) the capacity of local community services providers
22 to accommodate persons served by the state supported living center
23 if it is consolidated or closed;

24 (10) identification of specialty programs and
25 services available at the state supported living center and whether
26 those programs and services are available at other state supported
27 living centers or from local community services providers;

1 (11) the history of incidents of abuse, neglect, or
2 exploitation at the state supported living center;

3 (12) the services and supports that are not available
4 in the community and that resulted in commitment of individuals to
5 the state supported living center during the previous five years;

6 (13) the support needs of residents in the state
7 supported living center and the availability of programs that
8 provide those services in the community;

9 (14) the impact of expanding community programs in the
10 area of the state supported living center, particularly in
11 historically underserved areas of the state; and

12 (15) any other relevant factor as determined by the
13 commission or department.

14 (d) Not later than October 1, 2014, the commission and the
15 department shall submit a report containing the findings of the
16 independent entity under this section to the governor, the
17 lieutenant governor, the speaker of the house of representatives,
18 and the standing committee of each house of the legislature with
19 jurisdiction over state supported living centers.

20 (e) This section expires September 1, 2015.

21 SECTION 2. EFFECTIVE DATE. This Act takes effect
22 immediately if it receives a vote of two-thirds of all the members
23 elected to each house, as provided by Section 39, Article III, Texas
24 Constitution. If this Act does not receive the vote necessary for
25 immediate effect, this Act takes effect September 1, 2013.