

BILL ANALYSIS

C.S.H.B. 1880
By: Laubenberg
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, health and human services agencies are required to maintain a record of certain types of licensed health and human services providers, including youth camps, hospitals, child-care facilities, assisted living facilities, and mental health facilities, that have been subjected to adverse licensing decisions, such as the suspension or revocation of a license. This allows the licensing agencies to share information regarding adverse licensing decisions and helps the agencies prevent an applicant whose license was revoked because persons under the applicant's care were harmed from obtaining another license. Interested parties contend that the law governing these adverse licensing decisions does not currently apply to certain types of treatment facilities and programs. C.S.H.B. 1880 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1880 amends the Government Code to include a licensed ambulatory surgical center, licensed birthing center, licensed abortion facility, licensed end stage renal disease facility, licensed freestanding emergency medical care facility, and authorized narcotic drug treatment program among the entities to which statutory provisions regarding an adverse licensing, listing, or registration decision by an applicable health and human services agency apply.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1880 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED				HOUSE COMMITTEE SUBSTITUTE			
SECTION	1.	Section	531.951(a),	SECTION	1.	Section	531.951(a),

Government Code, is amended to read as follows:

(a) This subchapter applies only to the final licensing, listing, or registration decisions of a health and human services agency with respect to a person under the law authorizing the agency to regulate the following types of persons:

- (1) a youth camp licensed under Chapter 141, Health and Safety Code;
- (2) a home and community support services agency licensed under Chapter 142, Health and Safety Code;
- (3) a hospital licensed under Chapter 241, Health and Safety Code;
- (4) an institution licensed under Chapter 242, Health and Safety Code;

(4-a) an abortion facility licensed under Chapter 245, Health and Safety Code;

(5) an assisted living facility licensed under Chapter 247, Health and Safety Code;

(6) a special care facility licensed under Chapter 248, Health and Safety Code;

(7) an intermediate care facility licensed under Chapter 252, Health and Safety Code;

(8) a chemical dependency treatment facility licensed under Chapter 464, Health and Safety Code;

(9) a mental hospital or mental health facility licensed under Chapter 577, Health and Safety Code;

(10) a child-care facility or child-placing agency licensed under or a family home listed or registered under Chapter 42, Human Resources Code; or

(11) an adult day-care facility licensed under Chapter 103, Human Resources Code.

Government Code, is amended to read as follows:

(a) This subchapter applies only to the final licensing, listing, or registration decisions of a health and human services agency with respect to a person under the law authorizing the agency to regulate the following types of persons:

(1) a youth camp licensed under Chapter 141, Health and Safety Code;

(2) a home and community support services agency licensed under Chapter 142, Health and Safety Code;

(3) a hospital licensed under Chapter 241, Health and Safety Code;

(4) an institution licensed under Chapter 242, Health and Safety Code;

(5) an ambulatory surgical center licensed under Chapter 243, Health and Safety Code;

(6) a birthing center licensed under Chapter 244, Health and Safety Code;

(7) an abortion facility licensed under Chapter 245, Health and Safety Code;

(8) [(5)] an assisted living facility licensed under Chapter 247, Health and Safety Code;

(9) [(6)] a special care facility licensed under Chapter 248, Health and Safety Code;

(10) an end stage renal disease facility licensed under Chapter 251, Health and Safety Code;

(11) [(7)] an intermediate care facility licensed under Chapter 252, Health and Safety Code;

(12) a freestanding emergency medical care facility licensed under Chapter 254, Health and Safety Code;

(13) [(8)] a chemical dependency treatment facility licensed under Chapter 464, Health and Safety Code;

(14) a narcotic drug treatment program authorized under Chapter 466, Health and Safety Code;

(15) [(9)] a mental hospital or mental health facility licensed under Chapter 577, Health and Safety Code;

(16) [(10)] a child-care facility or child-placing agency licensed under or a family home listed or registered under Chapter 42, Human Resources Code; or

(17) [(11)] an adult day-care facility licensed under Chapter 103, Human Resources Code.

SECTION 2. This Act takes effect
September 1, 2015.

SECTION 2. Same as introduced version.