

BILL ANALYSIS

S.B. 914
By: Kolkhorst
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that long-term care facility regulations are outdated, overly cumbersome, and inconsistently enforced. According to the parties, many facility operators feel that the current survey and informal dispute resolution process does not adequately assess whether a facility is providing proper care to its residents. Additionally, the inconsistent survey process results in a system where a violation in one part of the state may not be considered a violation in another part of the state. The parties assert that the legislature should create a special council to conduct an overview of the state of the long-term care industry with suggestions to modernize regulations and survey processes. S.B. 914 seeks to provide the opportunity for members of the public and private sectors to convene and discuss how to properly amend this regulatory process.

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

S.B. 914 requires the executive commissioner of the Health and Human Services Commission, not later than December 1, 2015, to establish a Long-Term Care Facility Survey and Informal Dispute Resolution Council. The bill sets out the composition of the council and provides for the selection of officers and the operation of the council. The bill requires the council to study and make recommendations regarding a consistent survey and informal dispute resolution process for long-term care facilities; study and make recommendations regarding best practices and protocols to make survey, inspection, and informal dispute resolution processes more efficient and less burdensome on long-term care facilities; and recommend uniform standards for those processes. The bill requires the council, not later than January 1, 2017, to submit a report on the council's findings and recommendations to the executive commissioner, the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the appropriate legislative committees. The bill exempts the council from Government Code provisions governing state agency advisory committees and expires June 1, 2017.

EFFECTIVE DATE

September 1, 2015.