

By: Crownover

H.B. No. 967

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a pilot project to evaluate the use of radio frequency  
3 identification technology to transmit information regarding  
4 residents of certain group homes.

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

6 SECTION 1. Subchapter D, Chapter 161, Human Resources Code,  
7 is amended by adding Section 161.088 to read as follows:

8 Sec. 161.088. RADIO FREQUENCY IDENTIFICATION TECHNOLOGY  
9 PILOT PROJECT. (a) In this section, "radio frequency  
10 identification technology" means a wireless identification system  
11 that uses an electromagnetic radio frequency signal to transmit  
12 data without physical contact between a card, badge, or tag and  
13 another device.

14 (b) The department shall develop and implement a one-year  
15 pilot project in which a resident of a group home, other than a  
16 foster home, at which a Home and Community-based Services (HCS)  
17 provider provides services may use an identification device that  
18 uses radio frequency identification technology or similar  
19 technology to identify the resident, transmit information  
20 regarding the resident, or track the location of the resident.

21 (c) Before a resident may use an identification device  
22 described in Subsection (b), the department must obtain the written  
23 consent of the resident or the resident's guardian, as appropriate.

24 (d) The department may not require a resident to pay for an

1 identification device described in Subsection (b) as a condition of  
2 participating in the pilot project.

3 (e) Not later than December 1, 2017, the department shall  
4 submit a report to the legislature evaluating the pilot project.

5 (f) This section expires September 1, 2019.

6 SECTION 2. Not later than January 1, 2016, the Department of  
7 Aging and Disability Services shall ensure that the pilot project  
8 required by Section 161.088, Human Resources Code, as added by this  
9 Act, is in operation.

10 SECTION 3. If before implementing any provision of this Act  
11 a state agency determines that a waiver or authorization from a  
12 federal agency is necessary for implementation of that provision,  
13 the agency affected by the provision shall request the waiver or  
14 authorization and may delay implementing that provision until the  
15 waiver or authorization is granted.

16 SECTION 4. This Act takes effect September 1, 2015.