

By: Naishtat, Guillen

H.B. No. 2588

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to disclosures by nursing facilities and assisted living  
3 facilities regarding certification or classification to provide  
4 specialized care, treatment, or personal care services to residents  
5 with Alzheimer's disease or related disorders; adding requirements  
6 for an occupational license.

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

8 SECTION 1. Section 242.202(d), Health and Safety Code, is  
9 amended to read as follows:

10 (d) The disclosure statement must contain the following  
11 categories of information:

- 12 (1) the institution's philosophy of care;
- 13 (2) whether the institution is certified under Section  
14 242.040 for the provision of specialized care and treatment of  
15 residents with Alzheimer's disease and related disorders;
- 16 (3) the preadmission, admission, and discharge  
17 process;
- 18 (4) [~~(3)~~] resident assessment, care planning, and  
19 implementation of the care plan;
- 20 (5) [~~(4)~~] staffing patterns, such as  
21 resident-to-staff ratios, and staff training;
- 22 (6) [~~(5)~~] the physical environment of the  
23 institution;
- 24 (7) [~~(6)~~] resident activities;

1           (8) [~~(7)~~] program costs;  
2           (9) [~~(8)~~] systems for evaluation of the institution's  
3 programs for residents;  
4           (10) [~~(9)~~] family involvement in resident care; and  
5           (11) [~~(10)~~] the toll-free telephone number maintained  
6 by the department for acceptance of complaints against the  
7 institution.

8           SECTION 2. Section 247.026, Health and Safety Code, is  
9 amended by adding Subsection (c-1) to read as follows:

10           (c-1) The executive commissioner shall require each  
11 assisted living facility to include in the facility's consumer  
12 disclosure statement whether the facility holds a license  
13 classified under Section 247.029 for the provision of personal care  
14 services to residents with Alzheimer's disease or related  
15 disorders.

16           SECTION 3. The executive commissioner of the Health and  
17 Human Services Commission, as soon as practicable after the  
18 effective date of this Act, shall adopt any necessary rules  
19 prescribing the form of the disclosures under Sections 242.202 and  
20 247.026, Health and Safety Code, as amended by this Act.

21           SECTION 4. The change in law made by this Act applies to  
22 disclosures provided on or after January 1, 2016.

23           SECTION 5. This Act takes effect September 1, 2015.