

1-1 By: Kolkhorst S.B. No. 914
1-2 (In the Senate - Filed March 3, 2015; March 9, 2015, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 9, 2015, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 9, 2015, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to a council on long-term care facility surveys and
1-20 informal dispute resolution.
1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-22 SECTION 1. DEFINITIONS. In this Act:
1-23 (1) "Council" means the Long-Term Care Facility Survey
1-24 and Informal Dispute Resolution Council established under this Act.
1-25 (2) "Executive commissioner" means the executive
1-26 commissioner of the Health and Human Services Commission.
1-27 (3) "Long-term care facility" means a facility subject
1-28 to regulation under Section 32.021(d), Human Resources Code, or
1-29 Chapter 242, 247, or 252, Health and Safety Code.
1-30 SECTION 2. COUNCIL ESTABLISHED; MEMBERSHIP; OFFICERS.
1-31 (a) Not later than December 1, 2015, the executive commissioner
1-32 shall establish a Long-Term Care Facility Survey and Informal
1-33 Dispute Resolution Council. The council is composed of the
1-34 following members appointed by the executive commissioner:
1-35 (1) two program managers from different Department of
1-36 Aging and Disability Services regions;
1-37 (2) one surveyor who has attained at least the level of
1-38 investigator IV;
1-39 (3) two members of an enforcement team from different
1-40 Department of Aging and Disability Services regions;
1-41 (4) three surveyors, each from a different Department
1-42 of Aging and Disability Services region, at least one of whom must
1-43 have a background in nursing, at least one of whom must have a
1-44 background in social work, and at least one of whom must have a
1-45 background in the provision of pharmacy services;
1-46 (5) one informal dispute resolution team leader;
1-47 (6) one informal dispute resolution reviewer;
1-48 (7) two owners or regional vice presidents of
1-49 operation who oversee multiple long-term care facilities;
1-50 (8) two regional quality assurance nurses who oversee
1-51 multiple long-term care facilities;
1-52 (9) two active long-term care facility
1-53 administrators; and
1-54 (10) two active long-term care facility directors of
1-55 nursing.
1-56 (b) The executive commissioner shall designate a member of
1-57 the council to serve as presiding officer. The members of the
1-58 council shall elect any other necessary officers.
1-59 (c) A member of the council serves at the will of the
1-60 executive commissioner.
1-61 SECTION 3. MEETINGS. The council shall meet at the call of

2-1 the executive commissioner.

2-2 SECTION 4. REIMBURSEMENT OR COMPENSATION NOT AUTHORIZED. A
2-3 member of the council is not entitled to reimbursement of expenses
2-4 or to compensation for service on the council.

2-5 SECTION 5. GIFTS OR GRANTS. The council may accept gifts
2-6 and grants from any source to be used to carry out a function of the
2-7 council.

2-8 SECTION 6. DUTIES OF COUNCIL. (a) The council shall study
2-9 and make recommendations regarding a consistent survey and informal
2-10 dispute resolution process for long-term care facilities.

2-11 (b) The council shall:

2-12 (1) study and make recommendations regarding best
2-13 practices and protocols to make survey, inspection, and informal
2-14 dispute resolution processes more efficient and less burdensome on
2-15 long-term care facilities; and

2-16 (2) recommend uniform standards for those processes.

2-17 SECTION 7. REPORT. Not later than January 1, 2017, the
2-18 council shall submit a report on the council's findings and
2-19 recommendations required by this Act to the executive commissioner,
2-20 the governor, the lieutenant governor, the speaker of the house of
2-21 representatives, and the chairs of the appropriate legislative
2-22 committees.

2-23 SECTION 8. APPLICATION OF CERTAIN LAW. Chapter 2110,
2-24 Government Code, does not apply to the council.

2-25 SECTION 9. EXPIRATION. This Act expires June 1, 2017.

2-26 SECTION 10. EFFECTIVE DATE. This Act takes effect
2-27 September 1, 2015.

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