

House Bill 2588
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

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

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

- (1) the institution's philosophy of care;
- (2) whether the institution is certified under Section 242.040 for the provision of specialized care and treatment of residents with Alzheimer's disease and related disorders;
- (3) the preadmission, admission, and discharge process;
- (4) ~~(3)~~ resident assessment, care planning, and implementation of the care plan;
- (5) ~~(4)~~ staffing patterns, such as resident-to-staff ratios, and staff training;
- (6) ~~(5)~~ the physical environment of the institution;
- (7) ~~(6)~~ resident activities;
- (8) ~~(7)~~ program costs;
- (9) ~~(8)~~ systems for evaluation of the institution's programs for residents;
- (10) ~~(9)~~ family involvement in resident care; and
- (11) ~~(10)~~ the toll-free telephone number maintained by the department for acceptance of complaints against the institution.

SENATE VERSION (CS)

SECTION 1. Section 242.040, Health and Safety Code, is amended by adding Subsection (g) to read as follows:

(g) The executive commissioner by rule shall adopt a definition of "Alzheimer's disease and related disorders," and may adopt by reference a definition published in a generally accepted clinical resource for medical professionals. The executive commissioner shall modify the definition as necessary to conform to changes in medical practice.

SECTION 2. Same as House version.

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SECTION 2. Section 247.026, Health and Safety Code, is amended by adding Subsection (c-1) to read as follows:
(c-1) The executive commissioner shall require each assisted living facility to include in the facility's consumer disclosure statement whether the facility holds a license classified under Section 247.029 for the provision of personal care services to residents with Alzheimer's disease or related disorders.

No equivalent provision.

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

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

SENATE VERSION (CS)

SECTION 3. Same as House version.

SECTION 4. Section 247.029, Health and Safety Code, is amended by adding Subsection (d) to read as follows:
(d) The executive commissioner by rule shall adopt a definition of "Alzheimer's disease and related disorders," and may adopt by reference a definition published in a generally accepted clinical resource for medical professionals. The executive commissioner shall modify the definition as necessary to conform to changes in medical practice.

SECTION 5. The executive commissioner of the Health and Human Services Commission, as soon as practicable after the effective date of this Act, shall adopt any necessary rules prescribing the form of the disclosures under Sections 242.202 and 247.026, Health and Safety Code, as amended by this Act, and rules prescribing definitions under Sections 242.040 and 247.029, Health and Safety Code, as amended by this Act.

SECTION 6. The changes in law made by Sections 242.202 and 247.026, Health and Safety Code, as amended by this Act,

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apply only to disclosures provided on or after January 1, 2016.

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

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.