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| BILL ANALYSIS |

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| C.S.H.B. 3934 |
| By: Bell |
| Human Services |
| Committee Report (Substituted) |

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| **BACKGROUND AND PURPOSE**  Interested parties contend that the observation period required as part of the training for a surveyor of certain long-term care facilities is constructive for a new surveyor who has never worked in a nursing facility, but serves little purpose for a surveyor with experience working in such a facility. C.S.H.B. 3934 seeks to address this issue by providing for a waiver of the required observation period for certain surveyors. |
| **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**  C.S.H.B. 3934 amends the Human Resources Code to authorize the health and human services agency responsible for long-term care facilities to waive the requirement that the basic training program a surveyor of certain long-term care facilities is required to complete include observation of the operations of a long-term care facility unrelated to the survey, inspection, or investigation process for a minimum of 10 working days within a 14-day period for a surveyor who has completed in the two years preceding the inspection, survey, or investigation of a  long-term care facility one year of full-time employment in a nursing facility in Texas as a nursing facility administrator, licensed vocational nurse, registered nurse, or social worker. |
| **EFFECTIVE DATE**  September 1, 2017. |
| **COMPARISON OF ORIGINAL AND SUBSTITUTE**  While C.S.H.B. 3934 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill. |
| | INTRODUCED | HOUSE COMMITTEE SUBSTITUTE | | --- | --- | | SECTION 1. Section 22.039(b), Human Resources Code, is amended to read as follows:  (b) The department shall require a surveyor to complete a basic training program before the surveyor inspects, surveys, or investigates a long-term care facility.  The training for a surveyor who does not have previous experience working in a long-term care facility must include observation of the operations of a long-term care facility unrelated to the survey, inspection, or investigation process for a minimum of 10 working days within a 14-day period. | SECTION 1. Section 22.039, Human Resources Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:  (b) The department shall require a surveyor to complete a basic training program before the surveyor inspects, surveys, or investigates a long-term care facility.  (b-1) The training required under Subsection (b) must include observation of the operations of a long-term care facility unrelated to the survey, inspection, or investigation process for a minimum of 10 working days within a 14-day period.  (b-2) The department may waive the requirement imposed under Subsection (b-1) for a surveyor who has completed in the two years preceding the inspection, survey, or investigation one year of full-time employment in a nursing facility in this state as a:  (1) nursing facility administrator;  (2) licensed vocational nurse;  (3) registered nurse; or  (4) social worker. | | SECTION 2. This Act takes effect September 1, 2017. | SECTION 2. Same as introduced version. | |