

BILL ANALYSIS

H.B. 1642
By: Bell
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the requirement for the Department of Aging and Disability Services (DADS) to submit to local law enforcement a complete final written report of every regulatory investigation of alleged abuse, neglect, or exploitation at certain facilities is too onerous and burdensome. H.B. 1642 seeks to address this issue by requiring DADS to make such a report and submit the report and its recommendations to the appropriate law enforcement agency if DADS determines the report of abuse, neglect, or exploitation is substantiated at the conclusion of the investigation.

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

H.B. 1642 amends the Health and Safety Code to replace the requirement, for purposes of Department of Aging and Disability Services (DADS) investigations of abuse, neglect, or exploitation against residents of certain health facilities, that DADS make a complete final written report of such an investigation and submit the report and its recommendations to the district attorney and, if a law enforcement agency has not investigated the report of abuse, neglect, exploitation, or other complaint, to the appropriate law enforcement agency with a requirement that DADS, if it determines that the report of abuse, neglect, or exploitation is substantiated at the conclusion of the investigation, make a complete final written report of such an investigation and submit the report and recommendations to the appropriate law enforcement agency.

EFFECTIVE DATE

September 1, 2017.