

BILL ANALYSIS

Senate Research Center
85R24079 DMS-F

H.B. 3934
By: Bell; Wu (Perry)
Health & Human Services
5/11/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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. H.B. 3934 addresses this issue by providing for a waiver of the required observation period for certain surveyors.

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.

H.B. 3934 amends current law relating to training and continuing education requirements for certain long-term care facilities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.039, Human Resources Code, by amending Subsection (b) and adding Subsections (b-1) and (b-2), as follows:

(b) Makes no changes to this subsection.

(b-1) Requires that the training required under Subsection (b) (relating to the Department of Aging and Disability Services (DADS) requiring a surveyor to complete a basic training program), rather than the training, include certain observations.

(b-2) Authorizes DADS to 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 nursing facility administrator, licensed vocational nurse, registered nurse, or social worker.

SECTION 2. Effective date: September 1, 2017.