

By: Davis of Dallas

H.B. No. 2025

A BILL TO BE ENTITLED

AN ACT

relating to staff requirements for certain facilities that provide care to persons with Alzheimer's disease or dementia.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle G, Title 4, Health and Safety Code, is amended by adding Chapter 326 to read as follows:

CHAPTER 326. STAFF REQUIREMENTS FOR FACILITIES PROVIDING CARE TO PERSONS WITH ALZHEIMER'S DISEASE OR DEMENTIA

Sec. 326.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Health and Human Services Commission.

(2) "Facility" means:

(A) a nursing facility or other institution licensed under Chapter 242;

(B) a continuing care facility regulated under Chapter 246;

(C) an assisted living facility licensed under Chapter 247;

(D) a day activity and health services facility licensed under Chapter 103, Human Resources Code;

(E) an establishment subject to Chapter 105, Human Resources Code;

(F) a community home qualified under Chapter 123, Human Resources Code; and

1 (G) an adult foster care provider that contracts
2 with the commission.

3 Sec. 326.002. STAFF REQUIREMENTS. A facility that provides
4 care to a person with Alzheimer's disease or dementia shall employ
5 at least one individual who:

6 (1) has training or experience in providing care to
7 persons with Alzheimer's disease or dementia; and

8 (2) is able to provide adequate treatment and care for
9 the person.

10 Sec. 326.003. ENFORCEMENT. If a facility that is licensed
11 or regulated by or contracts with the commission or another state
12 agency violates this chapter, the commission or appropriate agency
13 shall, as applicable:

14 (1) revoke the license issued to the facility;

15 (2) revoke the facility's certificate of authority or
16 any other permission issued by the commission or state agency for
17 the facility to operate; or

18 (3) revoke, suspend, or refuse to renew a contract
19 between the commission or state agency and the facility.

20 SECTION 2. Chapter 326, Health and Safety Code, as added by
21 this Act, does not affect the terms of a contract entered into
22 before the effective date of this Act, except that if the contract
23 is renewed, modified, or extended on or after the effective date of
24 this Act, Chapter 326 applies to the contract beginning on the date
25 of renewal, modification, or extension.

26 SECTION 3. This Act takes effect September 1, 2017.