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| BILL ANALYSIS |

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| S.B. 1552 |
| By: Lucio |
| Human Services |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  Recent reports by the Office of the Independent Ombudsman for State Supported Living Centers have highlighted the lack of local and statewide training requirements for staff at these centers as well as the benefits of specialized training for staff in supporting the needs of center residents. These reports also indicated systemic issues in these centers with regard to violations of residents' rights by failing to obtain consent for the use of restrictions and related due process issues regarding the filing of complaints. S.B. 1552 seeks to address these issues by requiring the executive commissioner of the Health and Human Services Commission to develop processes and procedures that state supported living center staff must follow and to develop specialized training for such staff. |
| **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 rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill. |
| **ANALYSIS**  S.B. 1552 amends the Health and Safety Code to require the executive commissioner of the Health and Human Services Commission (HHSC), in addition to other methods required by law, rule, or policy, in order to protect the rights of residents in state supported living centers and the ICF-IID component of the Rio Grande State Center, to do the following:   * develop formal methods to more fully educate executives, administrators, supervisors, and direct care professionals working at centers, residents of centers, guardians of those residents, and other actively involved persons on:   + the rights of residents;   + the health and medical obligations and responsibilities and the legal obligations and responsibilities toward residents of a center's executives, administrators, supervisors, and direct care professionals;   + the types of specific needs and complex behavioral challenges of various populations of residents that may require additional support services, attention, and specialized training, including certain specified populations;   + the circumstances under which a resident's or other person's rights may or may not be restricted and related processes and procedures; and   + the manner in which a person may file a complaint; * specify processes and procedures that center staff must follow, including completed and documented training related to the foregoing topics; and * establish formal practices, processes, and policies to implement statewide and local recruitment strategies for hiring direct care professionals to ensure adequate staff coverage and an adequate ratio of direct care professionals to residents, residents' protection and safety, and residents' ability to exercise their rights.   S.B. 1552 requires each center, not later than January 1, 2020, to develop and implement additional initial and refresher specialized training for all executives, administrators, supervisors, and direct care professionals to support populations of residents that may require additional support services, attention, and specialized training. The bill requires the executive commissioner by rule, not later than January 1, 2020, to develop standards for such training, including the length of the training and the manner in which the training is provided. The bill requires the executive commissioner, in developing the standards, to ensure that person‑centered thinking is used as a foundation for all training, and that all training is competency‑based, trauma-informed, and, to the extent possible, provided in an interactive manner such as on a one-on-one basis, by a group discussion, or by a demonstration. The bill requires the executive commissioner to ensure that each state supported living center implements the training standards as soon as possible. |  |
| **EFFECTIVE DATE**  On passage, or, if the bill does not receive the necessary vote, September 1, 2019. |