

By: Perez

H.B. No. 284

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to disclosure requirements of certain facilities that  
3 provide care for persons with Alzheimer's disease and related  
4 disorders.

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

6 SECTION 1. Subchapter B, Chapter 242, Health and Safety  
7 Code, is amended by adding Section 242.0405 to read as follows:

8 Sec. 242.0405. NOTICE OF ALZHEIMER'S DISEASE AND RELATED  
9 DISORDERS CERTIFICATION. (a) A nursing facility shall prepare a  
10 written notice disclosing whether the facility is certified or is  
11 not certified under Section 242.040 for the provision of  
12 specialized care and treatment of residents with Alzheimer's  
13 disease and related disorders.

14 (b) The nursing facility shall provide the notice described  
15 by Subsection (a) to:

16 (1) each resident of the facility;

17 (2) each person applying for services from the  
18 facility or the person's next of kin or guardian; and

19 (3) any person requesting the information.

20 (c) A nursing facility shall keep a record of each person to  
21 whom notice is provided under Subsection (b).

22 SECTION 2. Section 242.042, Health and Safety Code, is  
23 amended by adding Subsection (a-1) to read as follows:

24 (a-1) In addition to the information displayed under

1 Subsection (a), each institution shall prominently and  
2 conspicuously post for display in a public area of the institution  
3 that is readily available to residents, employees, and visitors a  
4 written notice described by Section 242.0405.

5 SECTION 3. Section 242.202(d), Health and Safety Code, is  
6 amended to read as follows:

7 (d) The disclosure statement must contain the following  
8 categories of information:

9 (1) the institution's philosophy of care;

10 (2) ~~[whether the institution is certified under~~  
11 ~~Section 242.040 for the provision of specialized care and treatment~~  
12 ~~of residents with Alzheimer's disease and related disorders;~~

13 ~~[(3)]~~ the preadmission, admission, and discharge  
14 process;

15 (3) ~~[(4)]~~ resident assessment, care planning, and  
16 implementation of the care plan;

17 (4) ~~[(5)]~~ staffing patterns, such as  
18 resident-to-staff ratios, and staff training;

19 (5) ~~[(6)]~~ the physical environment of the  
20 institution;

21 (6) ~~[(7)]~~ resident activities;

22 (7) ~~[(8)]~~ program costs;

23 (8) ~~[(9)]~~ systems for evaluation of the institution's  
24 programs for residents;

25 (9) ~~[(10)]~~ family involvement in resident care; and

26 (10) ~~[(11)]~~ the toll-free telephone number maintained  
27 by the department for acceptance of complaints against the

1 institution.

2 SECTION 4. Subchapter B, Chapter 247, Health and Safety  
3 Code, is amended by adding Section 247.0295 to read as follows:

4 Sec. 247.0295. NOTICE OF ALZHEIMER'S DISEASE OR RELATED  
5 DISORDERS LICENSE CLASSIFICATION. (a) An assisted living facility  
6 shall prepare a written notice disclosing whether the facility  
7 holds a license or does not hold a license classified under Section  
8 247.029 for the provision of personal care services to residents  
9 with Alzheimer's disease or related disorders.

10 (b) The assisted living facility shall provide the written  
11 notice described by Subsection (a) to:

12 (1) each resident of the facility;

13 (2) each person applying for services from the  
14 facility or the person's next of kin or guardian; and

15 (3) any person requesting the information.

16 (c) An assisted living facility shall keep a record of each  
17 person to whom notice is provided under Subsection (b).

18 (d) An assisted living facility shall prominently and  
19 conspicuously post for display in a public area of the facility that  
20 is readily available to residents, employees, and visitors a  
21 written notice described by Subsection (a).

22 SECTION 5. Section 247.026(c-1), Health and Safety Code, is  
23 repealed.

24 SECTION 6. As soon as practicable after the effective date  
25 of this Act, the executive commissioner of the Health and Human  
26 Services Commission shall adopt rules to implement the changes in  
27 law made by this Act.

1 SECTION 7. This Act takes effect September 1, 2019.