

By: Davis of Dallas

H.B. No. 1715

A BILL TO BE ENTITLED

1 AN ACT

2 relating to registration of certain establishments providing
3 assisted living services.

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

5 SECTION 1. The heading to Subtitle B, Title 4, Health and
6 Safety Code, is amended to read as follows:

7 SUBTITLE B. LICENSING AND REGULATION OF HEALTH FACILITIES

8 SECTION 2. The heading to Chapter 247, Health and Safety
9 Code, is amended to read as follows:

10 CHAPTER 247. ASSISTED LIVING FACILITIES AND SIMILAR ASSISTED
11 LIVING SERVICE ESTABLISHMENTS

12 SECTION 3. Subchapter D, Chapter 247, Health and Safety
13 Code, is amended by adding Section 247.072 to read as follows:

14 Sec. 247.072. REGISTRATION OF ASSISTED LIVING SERVICE
15 ESTABLISHMENTS. (a) In this section, "assisted living service
16 establishment" means an establishment that:

17 (1) furnishes, in one or more facilities, food and
18 shelter to three or fewer persons who are unrelated to the
19 proprietor of the establishment;

20 (2) provides:

21 (A) personal care services; or

22 (B) administration of medication by a person
23 licensed or otherwise authorized in this state to administer the
24 medication;

1 (3) may provide assistance with or supervision of the
2 administration of medication; and

3 (4) may provide skilled nursing services for the
4 following limited purposes:

5 (A) coordination of resident care with outside
6 home and community support services agencies and other health care
7 professionals;

8 (B) provision or delegation of personal care
9 services and medication administration as described by Subdivision
10 (2);

11 (C) assessment of residents to determine the care
12 required; and

13 (D) for periods of time as established by
14 commission rule, delivery of temporary skilled nursing treatment
15 for a minor illness, injury, or emergency.

16 (b) A person may not establish or operate an assisted living
17 service establishment unless the person registers the
18 establishment with the commission and complies with commission
19 rules related to the establishment.

20 (c) The executive commissioner shall adopt rules necessary
21 to protect the public health and safety and to implement this
22 section.

23 (d) A person who violates this section and rules adopted
24 under this section is subject to the enforcement provisions of
25 Subchapter C.

26 SECTION 4. Not later than December 1, 2019, the executive
27 commissioner of the Health and Human Services Commission shall

1 adopt any rules necessary to implement Section 247.072, Health and
2 Safety Code, as added by this Act.

3 SECTION 5. Notwithstanding Section 247.072, Health and
4 Safety Code, as added by this Act, a person is not required to
5 register an establishment to which that section applies until
6 January 1, 2020.

7 SECTION 6. This Act takes effect September 1, 2019.