

1 AN ACT

2 relating to the services provided by assisted living facilities.

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

4 SECTION 1. Section 247.002(1), Health and Safety Code, is  
5 amended to read as follows:

6 (1) "Assisted living facility" means an establishment  
7 that:

8 (A) furnishes, in one or more facilities, food  
9 and shelter to four or more persons who are unrelated to the  
10 proprietor of the establishment;

11 (B) provides:

12 (i) personal care services; or

13 (ii) administration of medication by a  
14 person licensed or otherwise authorized in this state to administer  
15 the medication;

16 (C) may provide assistance with or supervision of  
17 the administration of medication; ~~and~~

18 (D) may provide skilled nursing services for the  
19 following limited purposes:

20 (i) coordination of resident care with  
21 outside home and community support services agencies and other  
22 health care professionals;

23 (ii) provision or delegation of personal  
24 care services and medication administration as described by this

1 subdivision;

2 (iii) assessment of residents to determine  
3 the care required; and

4 (iv) for periods of time as established by  
5 department rule, delivery of temporary skilled nursing treatment  
6 for a minor illness, injury, or emergency; and

7 (E) may provide health maintenance activities as  
8 defined by rule by the Texas Board of Nursing.

9 SECTION 2. Section 247.025, Health and Safety Code, is  
10 amended to read as follows:

11 Sec. 247.025. ADOPTION OF RULES. (a) The executive  
12 commissioner shall adopt rules necessary to implement this chapter,  
13 including requirements for the issuance, renewal, denial,  
14 suspension, and revocation of a license to operate an assisted  
15 living facility.

16 (b) The executive commissioner shall adopt rules  
17 distinguishing and providing guidelines on the scope of services  
18 that an assisted living facility may provide under this chapter.

19 SECTION 3. As soon as practicable after the effective date  
20 of this Act:

21 (1) the Texas Board of Nursing shall adopt the rules  
22 necessary to implement Section 247.002(1), Health and Safety Code,  
23 as amended by this Act; and

24 (2) the executive commissioner of the Health and Human  
25 Services Commission shall adopt the rules required by Section  
26 247.025, Health and Safety Code, as amended by this Act.

27 SECTION 4. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3329 was passed by the House on April 26, 2019, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3329 was passed by the Senate on May 15, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor