

By: Buckingham

S.B. No. 1406

A BILL TO BE ENTITLED

AN ACT

relating to the services provided by assisted living facilities.

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

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

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

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

(B) provides:

(i) personal care services; or

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

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

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

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

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

subdivision;

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

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

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

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

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

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

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

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

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

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