

By: Kolkhorst

S.B. No. 1519

A BILL TO BE ENTITLED

AN ACT

relating to a council on long-term care facilities.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0581 to read as follows:

Sec. 531.0581. LONG-TERM CARE FACILITIES COUNCIL. (a) In this section:

(1) "Council" means the Long-Term Care Facilities Council.

(2) "Long-term care facility" means a facility subject to regulation under Section 32.021(d), Human Resources Code, or Chapter 242, 247, or 252, Health and Safety Code.

(b) The executive commissioner shall establish a Long-Term Care Facilities Council as a permanent advisory committee to the commission. The council is composed of the following members appointed by the executive commissioner:

(1) two program managers from different service delivery regions;

(2) one surveyor who has attained at least the level of investigator IV;

(3) two members of an enforcement team from different service delivery regions;

(4) three surveyors, each from a different service delivery region, at least one of whom must have a background in

1 nursing, at least one of whom must have a background in social work,
2 and at least one of whom must have a background in the provision of
3 pharmacy services;

4 (5) one informal dispute resolution team leader;

5 (6) one informal dispute resolution reviewer;

6 (7) one individual with expertise in Medicaid
7 quality-based payment systems for long-term care facilities;

8 (8) two owners or regional vice presidents of
9 operation who oversee multiple long-term care facilities;

10 (9) two regional quality assurance nurses who oversee
11 multiple long-term care facilities;

12 (10) two active long-term care facility
13 administrators; and

14 (11) two active long-term care facility directors of
15 nursing.

16 (c) The executive commissioner shall designate a member of
17 the council to serve as presiding officer. The members of the
18 council shall elect any other necessary officers.

19 (d) A member of the council serves at the will of the
20 executive commissioner.

21 (e) The council shall meet at the call of the executive
22 commissioner.

23 (f) A member of the council is not entitled to reimbursement
24 of expenses or to compensation for service on the council.

25 (g) The council may accept gifts and grants from any source
26 to be used to carry out a function of the council.

27 (h) The council shall study and make recommendations

1 regarding a consistent survey and informal dispute resolution
2 process for long-term care facilities and regarding Medicaid
3 quality-based payment systems for those facilities. The council
4 shall:

5 (1) study and make recommendations regarding best
6 practices and protocols to make survey, inspection, and informal
7 dispute resolution processes more efficient and less burdensome on
8 long-term care facilities;

9 (2) recommend uniform standards for those processes;
10 and

11 (3) study and make recommendations regarding Medicaid
12 quality-based payment systems for long-term care facilities.

13 (i) Not later than January 1 of each odd-numbered year, the
14 council shall submit a report on the council's findings and
15 recommendations to the executive commissioner, the governor, the
16 lieutenant governor, the speaker of the house of representatives,
17 and the chairs of the appropriate legislative committees.

18 (j) Chapter 2110 does not apply to the council.

19 SECTION 2. Not later than December 1, 2019, the executive
20 commissioner of the Health and Human Services Commission shall
21 establish the Long-Term Care Facilities Council and appoint the
22 council members as required by Section 531.0581, Government Code,
23 as added by this Act.

24 SECTION 3. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2019.