

RESOLUTION ANALYSIS

C.S.S.J.R. 19
By: Kolkhorst
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Many of the state's long-term care residents rely on family members, friends, or other caregivers to provide hands-on care and social and emotional support to supplement the care provided by staff. State policies enacted at the beginning of the COVID-19 public health emergency restricted long-term care residents' access to such essential caregivers. These restrictions had a significant impact on the physical and mental well-being of many residents, especially those with memory or cognitive challenges. C.S.S.J.R. 19 seeks to ensure that the physical, social, and emotional needs of vulnerable long-term care residents are being met by proposing a constitutional amendment to establish their right to designate an essential caregiver for in-person visitation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.J.R. 19 proposes an amendment to the Texas Constitution to grant a resident of a nursing facility, assisted living facility, intermediate care facility for individuals with an intellectual disability, residence providing home and community-based services, or state supported living center the right to designate an essential caregiver with whom the facility, residence, or center may not prohibit in-person visitation. The legislature by general law may provide guidelines for a facility, residence, or center to follow in establishing essential caregiver visitation policies and procedures.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 2, 2021.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.J.R. 19 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the resolution.

The substitute revises the ballot language provided in the engrossed and revises the caption.