87R10698 EAS-D

By:  Howard H.B. No. 3730

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a task force to study workforce shortages and care practices in assisted living facilities and nursing facilities.

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

SECTION 1.  (a)  In this section:

(1)  "Assisted living facility" means a facility licensed under Chapter 247, Health and Safety Code.

(2)  "Commission" means the Health and Human Services Commission.

(3)  "Executive commissioner" means the executive commissioner of the commission.

(4)  "Nursing facility" means a facility licensed under Chapter 242, Health and Safety Code.

(5)  "Task force" means the task force on workforce shortages and care practices in assisted living facilities and nursing facilities established under this section.

(b)  The task force on workforce shortages and care practices in assisted living facilities and nursing facilities is established to:

(1)  evaluate the workforce shortages in assisted living facilities and nursing facilities in this state;

(2)  evaluate direct care staffing issues in assisted living facilities and nursing facilities in this state;

(3)  develop recommendations for legislation, policies, short-term strategies, and long-term strategies focusing on retention and recruitment of direct care staff in assisted living facilities and nursing facilities to ensure an adequate workforce is available to provide high-quality, cost-effective care, including recommendations on:

(A)  workforce engagement and advancement models;

(B)  job supports and incentives;

(C)  training and education initiatives;

(D)  wages and benefits; and

(E)  licensure and certification rules; and

(4)  examine nursing facility reform, including:

(A)  implementing new care models;

(B)  optimizing nursing facility size and configuration to foster resident wellness and infection control;

(C)  optimizing nursing facility staffing to meet resident needs; and

(D)  increasing clinical presence in nursing facilities.

(c)  The task force is composed of:

(1)  one member appointed by the governor;

(2)  the state long-term care ombudsman; and

(3)  not more than 11 members appointed by the executive commissioner as follows:

(A)  at least one member who is a representative of the commission;

(B)  at least one member who represents LeadingAge Texas;

(C)  at least one member who represents the Texas Health Care Association;

(D)  at least one member who represents the Texas Assisted Living Association;

(E)  at least one member who represents the American Association of Retired Persons;

(F)  at least one member who represents the Texas Higher Education Coordinating Board;

(G)  at least one member who represents the Texas Medical Directors Association;

(H)  at least one member who represents the Texas Workforce Commission; and

(I)  two or more members who represent a public or private institution of higher education in this state.

(d)  Not later than November 1, 2021, the governor and the executive commissioner shall appoint task force members as required by Subsection (c) of this section.

(e)  Not later than November 1, 2022, the task force shall prepare and submit to the legislature, the commission, the Senate Health and Human Services Committee, and the House Public Health Committee a written report containing the results of the task force's evaluation under Subsection (b) of this section and any recommendations for legislative or other action.

(f)  The commission shall post the report submitted to the commission under Subsection (e) of this section on the commission's Internet website.

(g)  The task force is abolished and this Act expires September 1, 2023.

SECTION 2.  This Act takes effect September 1, 2021.