By:  Seliger S.B. No. 1103

(In the Senate - Filed March 5, 2021; March 18, 2021, read first time and referred to Committee on Health & Human Services; March 26, 2021, reported favorably by the following vote: Yeas 8, Nays 0; March 26, 2021, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Blanco            X

Buckingham        X

Campbell          X

Hall              X

Miles                       X

Powell            X

Seliger           X

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of nurse aides; requiring an occupational registration.

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

SECTION 1.  Section 250.001, Health and Safety Code, is amended by adding Subdivisions (6) and (7) to read as follows:

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

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

SECTION 2.  Section 250.0035, Health and Safety Code, is amended to read as follows:

Sec. 250.0035.  CERTIFICATE OF REGISTRATION; REQUIREMENTS FOR INCLUSION IN NURSE AIDE REGISTRY [~~TRAINING REQUIREMENTS; CONTINUING EDUCATION~~]. (a) To be listed on the nurse aide registry, an applicant must:

(1)  complete a training program approved by the commission [~~Department of Aging and Disability Services~~] that includes:

(A) [~~(1)~~]  not less than 100 hours of course work as specified by rule; and

(B) [~~(2)~~]  a competency evaluation on completion of the training program; and

(2)  hold a certificate of registration issued by the commission on completion of the training program required under Subdivision (1).

(b)  A certificate of registration and listing on the nurse aide registry expire [~~expires~~] on the second anniversary of the date the certificate is issued and the nurse aide is listed in the registry [~~of the listing~~].

(c)  To renew a nurse aide's certificate of registration and listing on the registry, the nurse aide must complete at least 24 hours of in-service education every two years, including training in geriatrics and, if applicable, in the care of patients with Alzheimer's disease.

(d)  The executive commissioner [~~of the Health and Human Services Commission~~] shall adopt the rules [~~as~~] necessary to implement this section, including rules for the issuance and renewal of a certificate of registration under this section and the regulation of nurse aides as necessary to protect the public health and safety.

SECTION 3.  (a) As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall adopt the rules and procedures necessary to implement Section 250.0035, Health and Safety Code, as amended by this Act.

(b)  Notwithstanding Section 250.0035, Health and Safety Code, as amended by this Act, a nurse aide is not required to hold a certificate of registration issued under that section until September 1, 2022.

SECTION 4.  This Act takes effect September 1, 2021.

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