

By: Perez, Fierro

H.B. No. 413

A BILL TO BE ENTITLED

AN ACT

1
2 relating to disclosure requirements of certain facilities that
3 provide care for persons with Alzheimer's disease and related
4 disorders.

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

6 SECTION 1. Subchapter B, Chapter 242, Health and Safety
7 Code, is amended by adding Section 242.0405 to read as follows:

8 Sec. 242.0405. NOTICE OF ALZHEIMER'S DISEASE AND RELATED
9 DISORDERS CERTIFICATION. (a) A nursing facility shall prepare a
10 written notice disclosing whether the facility is certified or is
11 not certified under Section 242.040 to provide specialized care and
12 treatment for facility residents with Alzheimer's disease and
13 related disorders.

14 (b) The nursing facility shall provide the notice described
15 by Subsection (a) to:

16 (1) each facility resident; and

17 (2) each person applying for services from the
18 facility or the person's next of kin or guardian.

19 SECTION 2. Section 242.202(d), Health and Safety Code, is
20 amended to read as follows:

21 (d) The disclosure statement must contain the following
22 categories of information:

23 (1) the institution's philosophy of care;

24 (2) ~~whether the institution is certified under~~

1 ~~Section 242.040 for the provision of specialized care and treatment~~
2 ~~of residents with Alzheimer's disease and related disorders;~~
3 ~~(3)~~ the preadmission, admission, and discharge
4 process;
5 (3) ~~(4)~~ resident assessment, care planning, and
6 implementation of the care plan;
7 (4) ~~(5)~~ staffing patterns, such as
8 resident-to-staff ratios, and staff training;
9 (5) ~~(6)~~ the physical environment of the
10 institution;
11 (6) ~~(7)~~ resident activities;
12 (7) ~~(8)~~ program costs;
13 (8) ~~(9)~~ systems for evaluation of the institution's
14 programs for residents;
15 (9) ~~(10)~~ family involvement in resident care; and
16 (10) ~~(11)~~ the toll-free telephone number maintained
17 by the department for acceptance of complaints against the
18 institution.

19 SECTION 3. Subchapter B, Chapter 247, Health and Safety
20 Code, is amended by adding Section 247.0295 to read as follows:

21 Sec. 247.0295. NOTICE OF ALZHEIMER'S DISEASE OR RELATED
22 DISORDERS LICENSE CLASSIFICATION. An assisted living facility
23 shall provide to each facility resident written notice disclosing
24 whether the facility holds a license or does not hold a license
25 classified under Section 247.029 to provide personal care services
26 to residents with Alzheimer's disease or related disorders.

27 SECTION 4. Section 247.026(c-1), Health and Safety Code, is

1 repealed.

2 SECTION 5. As soon as practicable after the effective date
3 of this Act, the executive commissioner of the Health and Human
4 Services Commission shall adopt rules to implement the changes in
5 law made by this Act.

6 SECTION 6. This Act takes effect September 1, 2021.