

By: Thierry

H.B. No. 2151

A BILL TO BE ENTITLED

AN ACT

relating to emergency generators or other power sources in nursing facilities and assisted living facilities.

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

SECTION 1. Subchapter B, Chapter 242, Health and Safety Code, is amended by adding Section 242.053 to read as follows:

Sec. 242.053. EMERGENCY GENERATOR OR OTHER POWER SOURCE.

Each nursing facility licensed under this chapter shall ensure the facility is equipped with an operational emergency generator or comparable emergency power source and a sufficient amount of fuel to operate the generator or power source and maintain the air temperature in the facility at not more than 81 degrees Fahrenheit for a minimum of 72 hours during a power outage.

SECTION 2. Subchapter D, Chapter 247, Health and Safety Code, is amended by adding Section 247.072 to read as follows:

Sec. 247.072. EMERGENCY GENERATOR OR OTHER POWER SOURCE.

Each assisted living facility licensed under this chapter shall ensure the facility is equipped with an operational emergency generator or comparable emergency power source and a sufficient amount of fuel to operate the generator or power source and maintain the air temperature in the facility at not more than 81 degrees Fahrenheit for a minimum of 72 hours during a power outage.

SECTION 3. (a) As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human

1 Services Commission shall adopt rules necessary to implement
2 Sections 242.053 and 247.072, Health and Safety Code, as added by
3 this Act.

4 (b) Notwithstanding Sections 242.053 and 247.072, Health
5 and Safety Code, as added by this Act, a nursing facility or
6 assisted living facility, as applicable, is not required to comply
7 with those sections until March 1, 2022.

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