

By: Howard

H.B. No. 3730

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the establishment of a task force to study workforce
3 shortages and care practices in assisted living facilities and
4 nursing facilities.

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

6 SECTION 1. (a) In this section:

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

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

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

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

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

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

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

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

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

- 7 (A) workforce engagement and advancement models;
- 8 (B) job supports and incentives;
- 9 (C) training and education initiatives;
- 10 (D) wages and benefits; and
- 11 (E) licensure and certification rules; and

12 (4) examine nursing facility reform, including:
13 (A) implementing new care models;
14 (B) optimizing nursing facility size and
15 configuration to foster resident wellness and infection control;
16 (C) optimizing nursing facility staffing to meet
17 resident needs; and
18 (D) increasing clinical presence in nursing
19 facilities.

20 (c) The task force is composed of:

- 21 (1) one member appointed by the governor;
- 22 (2) the state long-term care ombudsman; and
- 23 (3) not more than 11 members appointed by the
24 executive commissioner as follows:
 - 25 (A) at least one member who is a representative
26 of the commission;
 - 27 (B) at least one member who represents LeadingAge

1 Texas;

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

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

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

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

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

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

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

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

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

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

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

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