

AN ACT

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

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 242.0405 to read as follows:

Sec. 242.0405. NOTICE OF ALZHEIMER'S DISEASE AND RELATED DISORDERS CERTIFICATION. (a) A nursing facility advertising, marketing, or otherwise promoting that the facility provides memory care services shall prepare a written notice disclosing whether the facility is certified or is not certified under Section 242.040 to provide specialized care and treatment for facility residents with Alzheimer's disease and related disorders.

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

(1) each facility resident; and

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

(c) A nursing facility that provides the notice required under Subsection (a) is not required to include the information described by Section 242.202(d)(2) in a disclosure statement provided under that section.

SECTION 2. Subchapter B, Chapter 247, Health and Safety

1 Code, is amended by adding Section 247.0295 to read as follows:

2 Sec. 247.0295. NOTICE OF ALZHEIMER'S DISEASE OR RELATED
3 DISORDERS LICENSE CLASSIFICATION. (a) An assisted living facility
4 advertising, marketing, or otherwise promoting that the facility
5 provides memory care services shall provide to each facility
6 resident written notice disclosing whether the facility holds a
7 license or does not hold a license classified under Section 247.029
8 to provide personal care services to residents with Alzheimer's
9 disease or related disorders.

10 (b) An assisted living facility that provides the notice
11 required under Subsection (a) is not required under Section
12 247.026(c-1) to include in the facility's consumer disclosure
13 statement information on whether the facility holds a license
14 classified under Section 247.029 to provide personal care services
15 to residents with Alzheimer's disease or related disorders.

16 SECTION 3. As soon as practicable after the effective date
17 of this Act, the executive commissioner of the Health and Human
18 Services Commission shall adopt rules to implement Sections
19 242.0405 and 247.0295, Health and Safety Code, as added by this Act.

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 383 passed the Senate on March 29, 2021, by the following vote: Yeas 30, Nays 1; May 25, 2021, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2021, House granted request of the Senate; May 29, 2021, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 383 passed the House, with amendments, on May 18, 2021, by the following vote: Yeas 100, Nays 44, one present not voting; May 27, 2021, House granted request of the Senate for appointment of Conference Committee; May 30, 2021, House adopted Conference Committee Report by the following vote: Yeas 111, Nays 32, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor