

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

1 commission on completion of the training program required under
2 Subdivision (1).

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

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

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

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

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

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

S.B. No. 1103

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1103 passed the Senate on March 31, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1103 passed the House on May 26, 2021, by the following vote: Yeas 117, Nays 30, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor