

By: Seliger

S.B. No. 1103

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the regulation of nurse aides; requiring an  
3 occupational registration.

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

5 SECTION 1. Section 250.001, Health and Safety Code, is  
6 amended by adding Subdivisions (6) and (7) to read as follows:

7 (6) "Commission" means the Health and Human Services  
8 Commission.

9 (7) "Executive commissioner" means the executive  
10 commissioner of the commission.

11 SECTION 2. Section 250.0035, Health and Safety Code, is  
12 amended to read as follows:

13 Sec. 250.0035. CERTIFICATE OF REGISTRATION; REQUIREMENTS  
14 FOR INCLUSION IN NURSE AIDE REGISTRY [~~TRAINING REQUIREMENTS,~~

15 ~~CONTINUING EDUCATION~~]. (a) To be listed on the nurse aide  
16 registry, an applicant must:

17 (1) complete a training program approved by the  
18 commission [~~Department of Aging and Disability Services~~] that  
19 includes:

20 (A) [(1)] not less than 100 hours of course work  
21 as specified by rule; and

22 (B) [(2)] a competency evaluation on completion  
23 of the training program; and

24 (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.