

AN ACT

relating to training requirements for staff members of certain assisted living facilities that provide care to persons with Alzheimer's disease and related disorders.

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

SECTION 1. Subchapter B, Chapter 247, Health and Safety Code, is amended by adding Section 247.0291 to read as follows:

Sec. 247.0291. TRAINING REQUIREMENTS FOR STAFF MEMBERS OF ASSISTED LIVING FACILITIES PROVIDING CARE TO RESIDENTS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS. (a) In this section:

(1) "Assisted living manager" means an individual who is in a senior personnel position at an assisted living facility, including a facility administrator or manager who directly supervises direct service staff members.

(2) "Direct service staff member" means a staff member whose work involves extensive contact with residents, including a certified nursing assistant, nurse aide, personal care assistant, home health or personal care aide, licensed practical nurse, licensed vocational nurse, registered nurse, social worker, activity director, licensed dietitian, physician assistant, nurse practitioner, physical therapist, speech language pathologist, and occupational therapist.

(3) "Staff member" means a full- or part-time employee of an assisted living facility.

1 (b) This section applies only to an assisted living facility
2 that:

3 (1) provides personal care services to residents with
4 Alzheimer's disease or related disorders; and

5 (2) does not hold a license classified under Section
6 247.029 to provide those services.

7 (c) An assisted living facility shall require each facility
8 staff member to complete training on Alzheimer's disease and
9 related disorders in accordance with this section. Training hours
10 completed by a staff member under this section may be credited
11 toward any applicable training requirements the executive
12 commissioner prescribes for assisted living facility managers or
13 employees.

14 (d) An assisted living facility shall require each direct
15 service staff member to successfully complete four hours of
16 training and pass a competency-based evaluation on:

17 (1) Alzheimer's disease and related disorders;

18 (2) the provision of person-centered care;

19 (3) assessment and care planning;

20 (4) daily life activities of residents with
21 Alzheimer's disease or related disorders; and

22 (5) common behaviors and communications associated
23 with residents with Alzheimer's disease and related disorders.

24 (e) A direct service staff member may not provide any direct
25 care to a resident with Alzheimer's disease or related disorders
26 until the staff member successfully completes the training and
27 passes the evaluation required under Subsection (d).

1 (f) An assisted living facility shall require each assisted
2 living manager employed by the facility to successfully complete
3 four hours of training and pass a competency-based evaluation on:

4 (1) the topics listed under Subsection (d);

5 (2) administrative support services related to
6 information for comorbidities management, care planning, and the
7 provision of medically appropriate education and support services
8 and resources in the community, including person-centered care, to
9 residents with Alzheimer's disease or related disorders and their
10 families;

11 (3) staffing requirements to facilitate collaboration
12 and cooperation among facility staff members and to ensure each
13 staff member obtains appropriate informational materials and
14 training to properly care for and interact with residents with
15 Alzheimer's disease or related disorders based on the staff
16 member's position;

17 (4) the establishment of a supportive and therapeutic
18 environment for residents with Alzheimer's disease or related
19 disorders to enhance the sense of community among the residents and
20 within the facility; and

21 (5) the transition of care and coordination of
22 services for residents with Alzheimer's disease or related
23 disorders.

24 (g) An assisted living facility shall require each staff
25 member who is not required to complete the training or pass the
26 evaluation under Subsection (d) or (f), including housekeeping
27 staff, front desk staff, maintenance staff, and other staff members

1 with incidental but recurring contact with residents with
2 Alzheimer's disease or related disorders, to successfully complete
3 training and pass a competency-based evaluation on the topics
4 listed under Subsections (d)(1), (2), and (5).

5 (h) An assisted living facility shall provide a certificate
6 of completion to and maintain records of each certificate, in
7 accordance with applicable records retention policies the
8 commission prescribes, for each staff member who successfully
9 completes the training and passes the evaluation required under
10 Subsection (d), (f), or (g).

11 (i) Each direct service staff member and assisted living
12 manager who successfully completes the training and passes the
13 evaluation required under Subsection (d) or (f) must annually
14 complete two hours of continuing education on best practices
15 related to the treatment of and provision of care to residents with
16 Alzheimer's disease or related disorders.

17 (j) Except as provided by Subsection (k), an assisted living
18 facility staff member who successfully completes the training and
19 passes the evaluation required under Subsection (d), (f), or (g)
20 and who transfers to another facility is not required to complete
21 those requirements for the other facility.

22 (k) An assisted living facility may require a staff member
23 who has had a lapse of employment with facilities to which this
24 section applies for a period of two years or more to successfully
25 complete the training and pass the evaluation required under
26 Subsection (d), (f), or (g) even if the staff member previously
27 completed those requirements.

1 (1) Each assisted living facility staff member who
2 successfully completes the training, including continuing
3 education requirements, and passes an evaluation required under
4 this section must maintain documentation regarding the training and
5 evaluation.

6 (m) The executive commissioner shall adopt rules necessary
7 to implement this section.

8 SECTION 2. As soon as practicable after the effective date
9 of this Act, the executive commissioner of the Health and Human
10 Services Commission shall adopt any rules necessary to implement
11 the changes in law made by this Act.

12 SECTION 3. Notwithstanding Section 247.0291, Health and
13 Safety Code, as added by this Act, an assisted living facility staff
14 member to which that section applies is not required to complete the
15 training or pass the competency-based evaluation required under
16 that section until December 31, 2024.

17 SECTION 4. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 1673 was passed by the House on April 28, 2023, by the following vote: Yeas 131, Nays 14, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1673 was passed by the Senate on May 24, 2023, by the following vote: Yeas 28, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor