

1-1 By: Capriglione, et al. (Senate Sponsor - Johnson) H.B. No. 1673
 1-2 (In the Senate - Received from the House May 1, 2023;
 1-3 May 1, 2023, read first time and referred to Committee on Health &
 1-4 Human Services; May 19, 2023, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to training requirements for staff members of certain
 1-20 assisted living facilities that provide care to persons with
 1-21 Alzheimer's disease and related disorders.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter B, Chapter 247, Health and Safety
 1-24 Code, is amended by adding Section 247.0291 to read as follows:

1-25 Sec. 247.0291. TRAINING REQUIREMENTS FOR STAFF MEMBERS OF
 1-26 ASSISTED LIVING FACILITIES PROVIDING CARE TO RESIDENTS WITH
 1-27 ALZHEIMER'S DISEASE OR RELATED DISORDERS. (a) In this section:

1-28 (1) "Assisted living manager" means an individual who
 1-29 is in a senior personnel position at an assisted living facility,
 1-30 including a facility administrator or manager who directly
 1-31 supervises direct service staff members.

1-32 (2) "Direct service staff member" means a staff member
 1-33 whose work involves extensive contact with residents, including a
 1-34 certified nursing assistant, nurse aide, personal care assistant,
 1-35 home health or personal care aide, licensed practical nurse,
 1-36 licensed vocational nurse, registered nurse, social worker,
 1-37 activity director, licensed dietitian, physician assistant, nurse
 1-38 practitioner, physical therapist, speech language pathologist, and
 1-39 occupational therapist.

1-40 (3) "Staff member" means a full- or part-time employee
 1-41 of an assisted living facility.

1-42 (b) This section applies only to an assisted living facility
 1-43 that:

1-44 (1) provides personal care services to residents with
 1-45 Alzheimer's disease or related disorders; and

1-46 (2) does not hold a license classified under Section
 1-47 247.029 to provide those services.

1-48 (c) An assisted living facility shall require each facility
 1-49 staff member to complete training on Alzheimer's disease and
 1-50 related disorders in accordance with this section. Training hours
 1-51 completed by a staff member under this section may be credited
 1-52 toward any applicable training requirements the executive
 1-53 commissioner prescribes for assisted living facility managers or
 1-54 employees.

1-55 (d) An assisted living facility shall require each direct
 1-56 service staff member to successfully complete four hours of
 1-57 training and pass a competency-based evaluation on:

1-58 (1) Alzheimer's disease and related disorders;

1-59 (2) the provision of person-centered care;

1-60 (3) assessment and care planning;

1-61 (4) daily life activities of residents with

2-1 Alzheimer's disease or related disorders; and
 2-2 (5) common behaviors and communications associated
 2-3 with residents with Alzheimer's disease and related disorders.

2-4 (e) A direct service staff member may not provide any direct
 2-5 care to a resident with Alzheimer's disease or related disorders
 2-6 until the staff member successfully completes the training and
 2-7 passes the evaluation required under Subsection (d).

2-8 (f) An assisted living facility shall require each assisted
 2-9 living manager employed by the facility to successfully complete
 2-10 four hours of training and pass a competency-based evaluation on:

2-11 (1) the topics listed under Subsection (d);

2-12 (2) administrative support services related to
 2-13 information for comorbidities management, care planning, and the
 2-14 provision of medically appropriate education and support services
 2-15 and resources in the community, including person-centered care, to
 2-16 residents with Alzheimer's disease or related disorders and their
 2-17 families;

2-18 (3) staffing requirements to facilitate collaboration
 2-19 and cooperation among facility staff members and to ensure each
 2-20 staff member obtains appropriate informational materials and
 2-21 training to properly care for and interact with residents with
 2-22 Alzheimer's disease or related disorders based on the staff
 2-23 member's position;

2-24 (4) the establishment of a supportive and therapeutic
 2-25 environment for residents with Alzheimer's disease or related
 2-26 disorders to enhance the sense of community among the residents and
 2-27 within the facility; and

2-28 (5) the transition of care and coordination of
 2-29 services for residents with Alzheimer's disease or related
 2-30 disorders.

2-31 (g) An assisted living facility shall require each staff
 2-32 member who is not required to complete the training or pass the
 2-33 evaluation under Subsection (d) or (f), including housekeeping
 2-34 staff, front desk staff, maintenance staff, and other staff members
 2-35 with incidental but recurring contact with residents with
 2-36 Alzheimer's disease or related disorders, to successfully complete
 2-37 training and pass a competency-based evaluation on the topics
 2-38 listed under Subsections (d)(1), (2), and (5).

2-39 (h) An assisted living facility shall provide a certificate
 2-40 of completion to and maintain records of each certificate, in
 2-41 accordance with applicable records retention policies the
 2-42 commission prescribes, for each staff member who successfully
 2-43 completes the training and passes the evaluation required under
 2-44 Subsection (d), (f), or (g).

2-45 (i) Each direct service staff member and assisted living
 2-46 manager who successfully completes the training and passes the
 2-47 evaluation required under Subsection (d) or (f) must annually
 2-48 complete two hours of continuing education on best practices
 2-49 related to the treatment of and provision of care to residents with
 2-50 Alzheimer's disease or related disorders.

2-51 (j) Except as provided by Subsection (k), an assisted living
 2-52 facility staff member who successfully completes the training and
 2-53 passes the evaluation required under Subsection (d), (f), or (g)
 2-54 and who transfers to another facility is not required to complete
 2-55 those requirements for the other facility.

2-56 (k) An assisted living facility may require a staff member
 2-57 who has had a lapse of employment with facilities to which this
 2-58 section applies for a period of two years or more to successfully
 2-59 complete the training and pass the evaluation required under
 2-60 Subsection (d), (f), or (g) even if the staff member previously
 2-61 completed those requirements.

2-62 (l) Each assisted living facility staff member who
 2-63 successfully completes the training, including continuing
 2-64 education requirements, and passes an evaluation required under
 2-65 this section must maintain documentation regarding the training and
 2-66 evaluation.

2-67 (m) The executive commissioner shall adopt rules necessary
 2-68 to implement this section.

2-69 SECTION 2. As soon as practicable after the effective date

3-1 of this Act, the executive commissioner of the Health and Human
3-2 Services Commission shall adopt any rules necessary to implement
3-3 the changes in law made by this Act.

3-4 SECTION 3. Notwithstanding Section 247.0291, Health and
3-5 Safety Code, as added by this Act, an assisted living facility staff
3-6 member to which that section applies is not required to complete the
3-7 training or pass the competency-based evaluation required under
3-8 that section until December 31, 2024.

3-9 SECTION 4. This Act takes effect September 1, 2023.

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