

By: Pierson

H.B. No. 3560

A BILL TO BE ENTITLED

AN ACT

relating to criminal background check requirements for staff at certain licensed hospitals.

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

SECTION 1. Section 253.001(4), Health and Safety Code, as amended by Acts 2023, 88th Leg., R.S., Ch. 887 (H.B. 4696), Sec. 9, is amended to read as follows:

(4) "Facility" means:

(A) a facility:

(i) licensed by the department;

(ii) licensed under Chapter 252; ~~or~~

(iii) licensed under Chapter 555; or

(iv) licensed as a hospital under Chapter 577;

(B) an adult foster care provider that contracts with the department;

(C) a home and community support services agency licensed by the department under Chapter 142; or

(D) a prescribed pediatric extended care center licensed under Chapter 248A.

SECTION 2. Section 253.001(4), Health and Safety Code, as amended by Acts 2023, 88th Leg., R.S., Ch. 674 (H.B. 1009), Sec. 4, is amended to read as follows:

(4) "Facility" means:

(A) a nursing facility licensed by the commission

under Chapter 242;

(B) an intermediate care facility for individuals with an intellectual disability licensed by the commission under Chapter 252;

(C) an adult foster care provider that contracts with the commission;

(D) a home and community support services agency licensed by the commission under Chapter 142;

(E) a prescribed pediatric extended care center licensed by the commission under Chapter 248A;

(F) an assisted living facility licensed by the commission under Chapter 247;

(F-1) a facility licensed as a hospital under Chapter 577;

(G) a day activity and health services facility licensed by the commission under Chapter 103, Human Resources Code;

(H) a residential child-care facility as defined by Section 42.002, Human Resources Code, at which an elderly person or an adult with a disability resides or is in the facility's care;

(I) a provider who provides home and community-based services under the home and community-based services (HCS) waiver program or the Texas home living (TxHmL) waiver program; or

(J) a facility that is exempt from licensure under Section 252.003.

SECTION 3. Section 577.004(d), Health and Safety Code, is amended to read as follows:

(d) The application must contain:

(1) the name and location of the mental hospital or mental health facility;

(2) the name and address of the physician to be in charge of the hospital care and treatment of the patients;

(2-a) the name and address of the person to be responsible for the daily operations of the facility;

(3) the names and addresses of the mental hospital owners, including the officers, directors, and principal stockholders if the owner is a corporation or other association, or the names and addresses of the members of the board of trustees of the community center or the directors of the entity designated by the department to provide mental health services;

(4) the bed capacity to be authorized by the license;

(5) the number, duties, and qualifications of the professional staff;

(6) a description of the equipment and facilities of the mental hospital or mental health facility; and

(7) other information required by the department, including affirmative evidence of ability to comply with the department's rules and standards.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.