By: Lalani H.B. No. 586

A BILL TO BE ENTITLED

AN ACT

relating to medical director certification and training requirements at certain nursing facilities.

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

SECTION 1. Subchapter A, Chapter 242, Health and Safety Code, is amended by adding Section 242.0155 to read as follows:

Sec. 242.0155. MEDICAL DIRECTOR CERTIFICATION AND TRAINING REQUIRED. (a) A medical director who is subject to the requirements of Section 242.151(a)(2) must possess a medical director certification from the Post-Acute and Long-Term Care Medical Association or an equivalent certification, as determined by commission rule.

(b) A medical director who is subject to the requirements of Section 242.151(a)(2) shall complete a medical director training course developed by the commission that includes instruction on:

(1) compliance with applicable local, state, and federal laws;

(2) quality improvement processes;

(3) infection control protocols; and

(4) resident care management techniques.

SECTION 2. Section 242.151, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) An institution shall have at least one medical director

who:

(1) is licensed as a physician in this state; and

(2) subject to Subsection (a-1), possesses the medical director certification required under Section 242.0155 and has completed the training course required under that section.

(a-1) Notwithstanding Subsection (a)(2), an institution is not required to have a medical director who is certified under Section 242.0155 if the institution:

(1) is located in a medically underserved rural area, as defined by commission rule; and

(2) demonstrates a good faith effort to comply with Subsection (a)(2) but is unable to successfully recruit a medical director who complies with that subsection.

SECTION 3. Not later than January 1, 2028, the executive commissioner of the Health and Human Services Commission shall:

(1) adopt the rules necessary to implement Section 242.0155, Health and Safety Code, as added by this Act, and Section 242.151, Health and Safety Code, as amended by this Act; and

(2) develop the medical director training course required by Section 242.0155(b), Health and Safety Code, as added by this Act.

SECTION 4. The requirements of Section 242.0155, Health and Safety Code, as added by this Act, and Section 242.151, Health and Safety Code, as amended by this Act, apply only to a medical director hired on or after March 1, 2028. A medical director hired before March 1, 2028, is governed by the law as it existed immediately before the effective date of this Act, and that law is

continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2027.