

## **BILL ANALYSIS**

C.S.H.B. 2588  
By: Naishtat  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties assert that, currently, nursing homes and assisted living facilities may advertise specific care for individuals with Alzheimer's disease and related disorders. The parties contend that, because advertising strategies vary, some families may not be fully informed of how Alzheimer's care is administered. C.S.H.B. 2588 seeks to address this issue.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2588 amends the Health and Safety Code to require the disclosure statement an institution that advertises, markets, or otherwise promotes that the institution provides services to residents with Alzheimer's disease and related disorders is required to provide to contain information regarding whether the institution is certified for the provision of specialized care and treatment of such residents. The bill requires the executive commissioner of the Health and Human Services Commission to require each assisted living facility to include in the facility's consumer disclosure statement whether the facility holds a license classified for the provision of personal care services to residents with Alzheimer's disease or related disorders. The bill requires the executive commissioner to adopt any necessary rules prescribing the form of such disclosures as soon as practicable after the bill's effective date. The bill's provisions apply to disclosures provided on or after January 1, 2016.

### **EFFECTIVE DATE**

September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2588 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill and does not indicate differences relating to changes made by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, which became effective April 2, 2015.

INTRODUCED

SECTION 1. Section 242.202(d), Health and Safety Code, is amended.

SECTION 2. Section 247.026, Health and Safety Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) The board shall require each assisted living facility to include in the facility's consumer disclosure whether the facility holds a license classified under Section 247.029 for the provision of personal care services to residents with Alzheimer's disease or related disorders.

SECTION 3. The executive commissioner of the Health and Human Services Commission, as soon as practicable after the effective date of this Act, shall adopt any necessary rules prescribing the form of the disclosures under Sections 242.202 and 247.026, Health and Safety Code, as amended by this Act.

SECTION 4. The change in law made by this Act applies to disclosures provided on or after January 1, 2016.

SECTION 5. This Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Section 247.026, Health and Safety Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) The executive commissioner shall require each assisted living facility to include in the facility's consumer disclosure ~~statement~~ whether the facility holds a license classified under Section 247.029 for the provision of personal care services to residents with Alzheimer's disease or related disorders.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.