

BILL ANALYSIS

C.S.H.B. 284
By: Springer
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties have raised concerns regarding the restrictions on the use by certain health care facilities of restraints on facility residents and the parties note that some residents would benefit from the optional use of wheelchair self-release seat belts. C.S.H.B. 284 seeks to address these concerns by providing for the authorized use, under certain conditions, of a wheelchair self-release seat belt by such a resident.

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. 284 amends the Health and Safety Code to require certain health care facilities to allow a resident to use a wheelchair self-release seat belt while the resident is in the resident's wheelchair if the resident demonstrates the ability to release and fasten the seat belt without assistance, the use of the wheelchair self-release seat belt complies with the resident's plan of care, and the facility receives written authorization signed by the resident or the resident's legal guardian for the resident to use the wheelchair self-release seat belt. The bill requires the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement the bill's provisions not later than January 1, 2018. The bill applies only to the use of a wheelchair self-release seat belt occurring on or after January 1, 2018.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 284 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.