

## **BILL ANALYSIS**

H.B. 3329  
By: Frank  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised about possible ambiguity in state law regarding the services a licensed assisted living facility may provide that could result in inconsistent regulatory enforcement actions. H.B. 3329 seeks to address this possible ambiguity by expressly authorizing an assisted living facility to perform health maintenance activities as defined by the Texas Board of Nursing.

### **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 rulemaking authority is expressly granted to the Texas Board of Nursing in SECTION 1 of this bill and to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

### **ANALYSIS**

H.B. 3329 amends the Health and Safety Code to provide that a licensed assisted living facility has the authority to provide health maintenance activities as defined by rule by the Texas Board of Nursing. The bill requires the executive commissioner of the Health and Human Services Commission to adopt rules distinguishing and providing guidelines on the scope of services that an assisted living facility is authorized to provide under the Assisted Living Facility Licensing Act.

### **EFFECTIVE DATE**

September 1, 2019.