

- SUBJECT:** Requiring DADS to post nursing home records on its website
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 9 ayes — Rose, Herrero, Darby, Elkins, Hernandez, Hughes, Legler, Naishtat, Walle
0 nays
- WITNESSES:** For — Susan Murphree, Advocacy Incorporated; Lee Spiller, Citizens Commission on Human Rights; (*Registered, but did not testify:* Amanda Fredriksen, AARP; Carlos Higgins; Norine Jaloway, The Arc of TX GA Com; Noelita Lugo, Texans Care for Children; Michelle Romero, Texas Medical Association)
Against — None
- BACKGROUND:** Health and Safety Code, sec. 242.042, requires each institution licensed by the Department of Aging and Disability Services (DADS) to post the following documents in plain sight of residents, visitors, and employees:
- a DADS-issued license;
 - information on how to file complaints;
 - a notice with the DADS phone number explaining that reports showing institutional deficiencies are available to the public;
 - a summary of findings from the most recent inspection of the institution;
 - a notice that DADS can provide information about an institution's quality of care and recent litigation involving an institution;
 - a notice that the Texas Board of Nursing Facility Administrators can provide information on the institution's administrator;
 - any current notices of suspension;
 - a bilingual notice advising of protections from retaliation and discrimination;
 - a notice indicating that compliance histories are available on the institution's premises;
 - information about residents' rights; and

- a one-year compliance history that is updated at least every two months.

DIGEST: HB 1081 would require DADS to post on its website detailed compliance information on each institution licensed by the department, including one-year compliance histories and statements of residents' rights. DADS would be required to update this information on its website monthly.

The bill would take effect September 1, 2009.

SUPPORTERS SAY: HB 1081 would make information on the quality of care at nursing homes more accessible to interested parties. Currently, this information is available only at the institutions themselves. HB 1081 would require DADS to post this information to its website. Families of nursing home residents should be able to go online and find out important information about the institutions entrusted with the care of their loved ones. HB 1081 would give the public broader access to documents detailing the quality of care at Texas nursing homes.

HB 1081 would help nursing home advocacy groups and other stakeholders by allowing them to compile information on nursing homes all over the state simply by accessing the DADS website. This would give stakeholders immediate access to a wealth of information relevant to their clients. Advocacy groups would be able to provide more up-to-date and accurate information to the individuals with whom they work.

The public should be able to find out easily which nursing homes have a history of endangering the welfare of their patients. Senior citizens who live in nursing homes often are very ill and unable to protect themselves from abuse or neglect. Posting nursing home compliance histories on the Internet would help make clear which nursing homes had the most egregious records of violation.

This bill merely would codify DADS' current practice of making information about nursing homes readily available to the public. DADS already requires nursing homes to post compliance histories, residents' rights summaries, and a host of other relevant documents in plain sight on nursing home premises. HB 1081 would support the same ideals of openness and honesty that have guided DADS policy for years.

OPPONENTS
SAY:

No apparent opposition.