

BILL ANALYSIS

Senate Research Center
78R11267 YDB-D

C.S.S.B. 1012
By: West, Royce
Health & Human Services
4/16/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, electronic monitoring devices are allowed to be placed in residents' rooms in nursing homes. C.S.S.B. 1012 applies Subchapter R, Chapter 242, Health and Safety Code (Electronic Monitoring of Resident's Room) to assisted living facilities, along with nursing homes.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Board of Human Services in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 247.003, Health and Safety Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Makes a conforming and nonsubstantive change.

(c) Provides that, except as provided by this subsection, Subchapter R, Chapter 242 (Electronic Monitoring of Resident's Room), applies to an assisted living facility, and requires the Texas Department of Human Services (TDHS) to administer that subchapter for an assisted living facility in the same manner it is administered and enforced for a nursing home, but to enforce that subchapter in accordance with the sanctions authorized by this chapter. Provides that Sections 242.851 (Enforcement) and 242.852 (Criminal Offense) do not apply to an assisted living facility or to conduct within an assisted living facility.

SECTION 2. Requires the Texas Board of Human Services to adopt rules under Section 247.003(c), Health and Safety Code, as added by this Act, no later than January 1, 2004.

SECTION 3. Effective date: upon passage or September 1, 2003.