

BILL ANALYSIS

Senate Research Center

H.B. 1503
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Health & Human Services
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In the past, the predecessor agency to the Department of Aging and Disability Services often added violations to a nursing home's or assisted living facility's official final list of violations without having discussed these violations with the facility representative at the exit conference. The Texas Legislature attempted to address this problem by requiring an additional exit conference if additional violations were discovered during the review of field notes or preparation of the final official list of violations.

However, on occasion, the department has attempted to comply with the requirement for an additional exit conference simply by calling the facility's representative by telephone. H.B. 1503 clarifies that a telephone call, a facsimile transmission, or electronic mail will not satisfy the requirement for an additional exit conference. The exit conference must be held in person.

The bill also clarifies and makes consistent the statutory provisions concerning nursing homes and assisted living facilities relating to the submission of a corrective action plan to address the final official statement of violations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 242.0445(b) and (c), Health and Safety Code, as follows:

(b) Requires that an additional exit conference [following an inspection of a nursing home or assisted living facility] be held in person and prohibits it from being held over telephone, by e-mail, or by fax.

(c) Requires the facility to submit a plan to correct the violations to the regional director not later than 10th working day after the date the facility receives the final official statement of violations.

SECTION 2. Amends Section 274.0271, Health and Safety Code, by amending Subsection (c) and adding Subsection (d), as follows:

(c) Makes conforming changes.

(d) Requires the assisted living facility to submit a plan of correction to the regional director with supervisory authority over the inspector not later than the 10th working day after the date the facility receives the final official statement of violations.

SECTION 3. Amends Sections 252.044(b) and (c), Health and Safety code, to make conforming changes.

SECTION 4. Effective date: September 1, 2005.