

BILL ANALYSIS

Senate Research Center

S.B. 1614
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Health & Human Services
3/29/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The winter storm of February 2021 exposed many vulnerabilities in Texas' electric grid, as well as regulatory requirements related to the health and safety of our state's most fragile citizens. Specifically, many assisted living and nursing facilities that were left without power had to be evacuated due to the lack of a backup power supply.

S.B. 1614 is intended to ensure that medically fragile seniors in nursing homes and assisted living facilities are not exposed to prolonged extreme temperatures due to power outages. The bill would require that such facilities be equipped with emergency generators, or comparable power sources, with sufficient fuel to maintain air temperature between 68 and 81 degrees Fahrenheit for a minimum of 72 hours during a power outage.

As proposed, S.B. 1614 amends current law relating to requiring emergency generators or other power sources in nursing facilities and assisted living facilities.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 3 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 242, Health and Safety Code, by adding Section 242.053, as follows:

Sec. 242.053. EMERGENCY GENERATOR OR OTHER POWER SOURCE. Requires that each nursing facility licensed under Chapter 242 (Convalescent and Nursing Facilities and Related Institutions) ensure that the facility is equipped with an operational emergency generator or comparable emergency power source and a sufficient amount of fuel to operate the generator or power source and maintain the air temperature in the facility at not less than 68 degrees and not more than 81 degrees Fahrenheit for a minimum of 72 hours during a power outage.

SECTION 2. Amends Subchapter D, Chapter 247, Health and Safety Code, by adding Section 247.072, as follows:

Sec. 247.072. EMERGENCY GENERATOR OR OTHER POWER SOURCE. Requires each assisted living facility licensed under Chapter 247 (Assisted Living Facilities) to ensure that the facility is equipped with an operational emergency generator or comparable emergency power source and a sufficient amount of fuel to operate the generator or power source and maintain the air temperature in the facility at not less than 68 degrees and not more than 81 degrees Fahrenheit for a minimum of 72 hours during a power outage.

SECTION 3. Requires the executive commissioner of the Health and Human Services Commission, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Sections 242.053 and 247.072, Health and Safety Code, as added by this Act.

SECTION 4. Effective date: upon passage or September 1, 2021.