

BILL ANALYSIS

Senate Research Center

S.B. 1586
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Health & Human Services
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The United States Department of Housing and Urban Development (HUD) has recently recognized the benefits of "aging in place" and has begun an initiative to allow those who live in residential communities and are experiencing an increase in their clinical needs to remain in their current community, while having their increasing medical needs addressed. Under this program, HUD provides grants to convert independent living properties into assisted living environments.

However, current state law does not allow these residents to move directly into the assisted living environments that are within their residential care communities. These individuals must either be placed on a waiting list for such services or move into a long-term care setting. As proposed, S.B. 1586 amends the Health and Safety Code to allow these residents to be directly admitted to assisted living facilities, which have been converted through HUD grants, that are a part of their existing residential community.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Aging and Disability Services in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 533, Health and Safety Code, by adding Section 533.0435, as follows:

Sec. 533.0435. WAIVER OF REQUIREMENTS FOR COMMUNITY HOUSING. Authorizes an elderly resident who qualifies for the assisted living conversion grant program under Section 202b, Housing Act of 1959 (12 U.S.C. Section 1701q-2), to be admitted directly to a facility operating under that program to allow the resident to receive program services while living in the resident's existing community.

SECTION 2. Requires the Department of Aging and Disability Services to adopt rules required by Section 533.0435, Health and Safety Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date: September 1, 2005.