

## **BILL ANALYSIS**

Senate Research Center

S.B. 2273  
By: Seliger  
Health & Human Services  
4/17/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Section 247.050 (Monitoring of Unlicensed Facilities; Reporting), Health and Safety Code, directs the Department of Aging and Disability Services (DADS) and the attorney general to submit a quarterly report on the attorney general's case load involving unlicensed assisted living facilities. Data provided by the attorney general does not present an adequate picture of all the cases actually referred across the state because DADS also refers these cases to local district attorney's offices. Because of this, the report data from DADS would be the best resource regarding this information. This bill amends Section 247.050 to remove the requirement that the attorney general submit a report, and changes the frequency of the report created by DADS from quarterly to annually.

As proposed, S.B. 2273 amends current law relating to certain reporting duties of the attorney general.

[**Note:** While the statutory reference in this bill is to the Texas Department of Human Services (TDHS), the following amendments affect the Department of Aging and Disability Services, as the successor agency to TDHS.]

### **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 Section 247.050(a), Health and Safety Code, to require the Texas Department of Human Services (TDHS) to maintain a registry of all reported unlicensed assisted living facilities for the purpose of periodic follow-up by the field staff in each region. Deletes existing text requiring TDHS to maintain a registry of all reported unlicensed assisted living facilities for the purpose of periodic follow-up by the field staff in each region and prepare a quarterly report that shows the number of complaints relating to unlicensed assisted living facilities that are received, complaints that are investigated, unsubstantiated complaints, substantiated complaints, and cases referred to the attorney general. Makes nonsubstantive changes.

SECTION 2. Repealers: (1) Section 242.005 (Performance Reports), Health and Safety Code; and

(2) Sections 247.050(b) (relating to the requirement that the attorney general prepare a quarterly report that shows certain data) and (c) (relating to the requirement that the attorney general and TDHS file a copy of the required quarterly report with certain committees of the legislature), Health and Safety Code.

SECTION 3. Effective date: upon passage or September 1, 2009.