

BILL ANALYSIS

Senate Research Center
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S.B. 785
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 785 prohibits the Department of Aging and Disability Services (DADS) from requiring an assisted living facility licensee to admit residents before conducting its final health review. Currently, a new facility must pass a building inspection, a life safety inspection, hire and train a full staff, and admit more than one and no more than three residents before it writes DADS requesting a final health inspection. Only after a facility has passed its final review may it begin to admit the remaining residents. DADS says that they are able to conduct the inspection on average within four weeks of the licensee's request. This is four weeks of what essentially amounts to a month of uncompensated expenses for the facility, and an inspection that is conducted under unrealistic conditions.

As proposed, S.B. 785 amends current law relating to a prohibition on a resident admission requirement for on-site inspections of assisted living facility license applicants.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 247.022, Health and Safety Code, by adding Subsection (d) to prohibit the Department of Aging and Disability Services (DADS) from requiring an assisted living facility license applicant to admit a resident to the facility before DADS conducts an on-site health inspection.

SECTION 2. Requires the executive commissioner of the Health and Human Services Commission to adopt rules to implement Section 247.022(d), 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, 2015.