

BILL ANALYSIS

Senate Research Center

H.B. 1642
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Health & Human Services
7/25/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires the Department of Aging and Disability Services (DADS) to submit to local law enforcement a complete final written report of every regulatory investigation of alleged abuse, neglect, or exploitation at certain facilities. This requirement, however, may be too burdensome and hinder the ability of local law enforcement to investigate the most critical cases.

H.B. 1642 addresses this issue by requiring DADS to continue to submit such reports to the appropriate law enforcement agency only when DADS determines the report of abuse, neglect, or exploitation is substantiated at the conclusion of the investigation.

H.B. 1642 amends current law relating to reporting requirements for investigations of abuse, neglect, or exploitation against residents of certain health facilities.

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 260A.007(k), Health and Safety Code, as follows:

(k) Requires the Department of Aging and Disability Services (DADS), if DADS determines the report of abuse, neglect, or exploitation is substantiated at the conclusion of the investigation, to make a complete final written report of the investigation and submit the report and its recommendations to the appropriate law enforcement agency. Deletes existing text requiring DADS to make a complete final written report of the investigation and submit the report and its recommendations to the district attorney and to the appropriate law enforcement agency in certain circumstances.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2017.