

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3961
By: Spiller et al. (Perry)
Health & Human Services
5/14/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There have been concerns about long-term care facility residents' access to information about the office of the long-term care ombudsman, which is responsible for advocating for the rights of such residents. Printed information regarding the office may be given to a resident or his or her family member when moving into a long-term care facility, but the volume of information received at that time may cause this critical advocacy resource to be overlooked. Other family members and loved ones may not have access to the facility's physical location and thus may not be aware of posted notices in the building.

C.S.H.B. 3961 requires a licensed nursing facility, a licensed assisted living facility, or any other long-term care facility under the jurisdiction of the state long-term care ombudsman to post on the facility's website information about the office of the ombudsman, including the office's contact information and information regarding its role as an advocate for residents of long-term care facilities.

If the facility does not have a website, then the parent company may comply with the posting. If neither the facility nor parent company have a website, they are not required to comply.

The effective date has been moved to January 1, 2022, in the substitute.

C.S.H.B. 3961 amends current law relating to required posting of information regarding the office of the state long-term care ombudsman on certain long-term care facilities' Internet websites.

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 Subtitle B, Title 4, Health and Safety Code, by adding Chapter 260C, as follows:

CHAPTER 260C. POSTING OF OFFICE OF STATE LONG-TERM CARE OMBUDSMAN INFORMATION BY CERTAIN FACILITIES

Sec. 260C.001. DEFINITION. Defines "long-term care facility."

Sec. 260C.002. POSTING OF OFFICE OF STATE LONG-TERM CARE OMBUDSMAN INFORMATION ON INTERNET WEBSITE. (a) Requires that a long-term care facility, except as provided by Subsection (b), post on the facility's Internet website information about the office of the state long-term care ombudsman established under Subchapter F (Office of State Long-Term Care Ombudsman), Chapter 101A (State Services for the Aging), Human Resources Code, including information regarding the office's role as an advocate for residents of long-term care facilities and the office's statewide toll-free telephone number.

(b) Provides that a long-term care facility:

(1) is authorized to comply with this section by posting the required information on the Internet website of the facility's parent company if the facility does not maintain a unique Internet website; and

(2) is not required to comply with this section if the facility and any parent company do not maintain an Internet website.

SECTION 2. Effective date: January 1, 2022.