

BILL ANALYSIS

C.S.H.B. 3934
By: Bell
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the observation period required as part of the training for a surveyor of certain long-term care facilities is constructive for a new surveyor who has never worked in a nursing facility, but serves little purpose for a surveyor with experience working in such a facility. C.S.H.B. 3934 seeks to address this issue by providing for a waiver of the required observation period for certain surveyors.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3934 amends the Human Resources Code to authorize the health and human services agency responsible for long-term care facilities to waive the requirement that the basic training program a surveyor of certain long-term care facilities is required to complete include observation of the operations of a long-term care facility unrelated to the survey, inspection, or investigation process for a minimum of 10 working days within a 14-day period for a surveyor who has completed in the two years preceding the inspection, survey, or investigation of a long-term care facility one year of full-time employment in a nursing facility in Texas as a nursing facility administrator, licensed vocational nurse, registered nurse, or social worker.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3934 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 22.039(b), Human Resources Code, is amended to read as

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 22.039, Human Resources Code, is amended by amending

85R 26076

17.115.868

Substitute Document Number: 85R 24079

follows:

(b) The department shall require a surveyor to complete a basic training program before the surveyor inspects, surveys, or investigates a long-term care facility.

The training for a surveyor who does not have previous experience working in a long-term care facility must include observation of the operations of a long-term care facility unrelated to the survey, inspection, or investigation process for a minimum of 10 working days within a 14-day period.

SECTION 2. This Act takes effect September 1, 2017.

Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b) The department shall require a surveyor to complete a basic training program before the surveyor inspects, surveys, or investigates a long-term care facility.

(b-1) The training required under Subsection (b) must include observation of the operations of a long-term care facility unrelated to the survey, inspection, or investigation process for a minimum of 10 working days within a 14-day period.

(b-2) The department may waive the requirement imposed under Subsection (b-1) for a surveyor who has completed in the two years preceding the inspection, survey, or investigation one year of full-time employment in a nursing facility in this state as a:

- (1) nursing facility administrator;
- (2) licensed vocational nurse;
- (3) registered nurse; or
- (4) social worker.

SECTION 2. Same as introduced version.