

BILL ANALYSIS

Senate Research Center

C.S.H.B. 2510
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Health & Human Services
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Committee Report (Substituted)

DIGEST

Alzheimer's is a disease that destroys the brain, leaving afflicted people incapable of mental or physical self-reliance. Currently, there are over 265,000 Texans with Alzheimer's disease, and estimates indicate that one of eight people over the age of 65 will be stricken with Alzheimer's, while 50 percent of Texans over the age of 85 will be stricken. Furthermore, as the elderly population of Texas increases, the demands placed upon Texas' resources and its citizens due to Alzheimer's will also increase. Presently, there are no guidelines in place for personal care facilities that specialize in the care of Alzheimer's patients. Concern has been raised that the unique medical conditions, functional needs, and behavioral characteristics of Alzheimer's patients merit special attention. H.B. 2510 requires the Texas Board of Human Services (board), by rule, to establish a classification and license for a facility that advertises, markets, or otherwise promotes that the facility provides personal care services to residents with Alzheimer's or related disorders; but provides that a facility is not required to be classified to provide care or treatment to such residents. This bill also requires the board to adopt minimum standards regarding quality of care, administration, programming of activities, facility operations, and staffing.

PURPOSE

As proposed, C.S.H.B. 2510 provides for the regulation of certain personal care facilities.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Board of Human Services in SECTION 1 (Sections 247.029(a) and (d), Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 247B, Health and Safety Code, by adding Section 247.029, as follows:

Sec. 247.029. FACILITIES FOR PERSONS WITH ALZHEIMER'S DISEASE. Requires the Texas Board of Human Services (board), by rule, to establish a classification and license for a facility that advertises, markets, or otherwise promotes that the facility provides personal care services to residents who have Alzheimer's disease or related disorders. Provides that a facility is not required to be classified under this section to provide care or treatment to residents who have Alzheimer's disease or related disorders. Prohibits a personal care facility classified under this section from keeping residents in a locked room or other locked environment except as allowed by Texas Department of Human Services rules applicable to a personal care facility. Prohibits a facility from chemically or physically restraining a resident except in an emergency. Requires the board to adopt minimum standards regarding other aspects of personal care facilities for persons with Alzheimer's disease.

SECTION 2. Effective date: September 1, 1997. Requires the board to adopt rules required under Section 247.029, Health and Safety Code, as added by this Act, not later than December 1, 1997.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 247.029, Health and Safety Code, to change the terms under which the board is required, by rule, to establish a classification and license for certain personal care facilities. Provides that a facility is not required to be classified to provide care or treatment to residents who have Alzheimer's disease or related disorders. Deletes proposed text requiring a facility to electronically monitor residents. Requires the board to adopt minimum standards for assistance with or supervision of the administration of medications, rather than for administering of medications.