

## **BILL ANALYSIS**

Senate Research Center

S.B. 262  
By: Sibley  
Health & Human Services  
3-2-97  
As Filed

### **DIGEST**

Currently, a person is automatically barred from working directly with the elderly or persons with mental retardation in certain health care facilities if that person has been convicted of criminal homicide, kidnapping and false imprisonment, indecency with a child, agreement to abduct from custody, arson, robbery, or aggravated robbery. This legislation would expand that list to add the following assaultive offenses: sexual assault; aggravated assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; and aiding suicide.

### **PURPOSE**

As proposed, S.B. 262 establishes the persons excluded from employment in a nursing home or other facility serving the elderly or disabled.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 250.006, Health and Safety Code, to include an offense under Section 22.011, 22.02, 22.04, 22.041, and 22.08, Penal Code (sexual assault, aggravated assault, injury to a child, elderly individual, or disabled individual, abandoning or endangering a child, and aiding suicide), among the list of offenses for which, if a person is convicted, the person is prohibited from being employed in a position requiring direct contact with a consumer in a nursing home or other facility serving the elderly or disabled. Makes conforming changes.

SECTION 2. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.