

## **BILL ANALYSIS**

Senate Research Center  
81R3011 JSC-D

S.B. 345  
By: Nelson  
Health & Human Services  
3/9/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, home and community services support agencies (HCSSAs) may develop and enforce employee tuberculosis screening policies at their own discretion. However, HCSSAs face fines from the Centers for Disease Control and Prevention (CDC) if they do not follow these procedures. CDC has developed recommendations and implementation guidelines for HCSSA tuberculosis screening programs. Vulnerable clients of HCSSAs living in high-risk situations need protection from contracting tuberculosis from caretakers.

As proposed, S.B. 345 requires the Texas Board of Nursing to set minimum standards for HCSSAs to include the screening of professional and nonprofessional personnel, including volunteers, for tuberculosis before providing services for the HCSSA.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Board of Nursing is modified in SECTION 1 (Section 142.012, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 142.012(b), Health and Safety Code, to require the Texas Board of Nursing (board) by rule to set minimum standards for home and community support services agencies (HCSSAs) licensed under this chapter to include the screening of professional and nonprofessional personnel, including volunteers, for tuberculosis before providing services for the HCSSA. Makes nonsubstantive changes.

SECTION 2. Requires the board to adopt rules required by Section 142.012(b), Health and Safety Code, as amended by this Act, not later than January 1, 2010.

SECTION 3. Effective date: September 1, 2009.