

1 AN ACT

2 relating to minimum standards applicable to certain facilities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 ARTICLE 1. MINIMUM STANDARDS RELATING TO AIR CONDITIONING

5 SECTION 1.01. DEFINITION. In this article, "department"
6 means the Texas Department of Human Services.

7 SECTION 1.02. AIR CONDITIONING SYSTEMS FOR NURSING HOMES.

8 (a) As soon as practicable after the effective date of this
9 article, the department shall review the rules and minimum
10 standards applicable to an institution licensed under Chapter 242,
11 Health and Safety Code, and adopted under Section 242.037, Health
12 and Safety Code. The department shall ensure that the rules and
13 minimum standards require each affected institution to use a
14 central air conditioning system or a substantially similar air
15 conditioning system that is capable of maintaining a temperature
16 within the areas of the institution used by residents suitable for
17 the comfort of the residents.

18 (b) Not later than January 1, 2004, the department shall
19 amend the applicable rules and minimum standards as necessary to
20 comply with Subsection (a) of this section.

21 (c) An amendment to the applicable rules and minimum
22 standards made under Subsection (b) of this section applies to an
23 institution or a part of an institution for which construction is
24 begun after the effective date of the amendment, which may not be

1 later than January 1, 2004, including a facility converted to use as
2 an institution after that date.

3 SECTION 1.03. AIR CONDITIONING SYSTEMS FOR ASSISTED LIVING
4 FACILITIES. (a) As soon as practicable after the effective date of
5 this article, the department shall review the minimum standards
6 applicable to an assisted living facility licensed under Chapter
7 247, Health and Safety Code, and adopted under Section 247.026,
8 Health and Safety Code. The department shall ensure that the rules
9 and minimum standards require each affected facility to use a
10 central air conditioning system or a substantially similar air
11 conditioning system that is capable of maintaining a temperature
12 within the areas of the facility used by residents suitable for the
13 comfort of the residents.

14 (b) Not later than January 1, 2004, the department shall
15 amend the applicable minimum standards as necessary to comply with
16 Subsection (a) of this section.

17 (c) An amendment to the applicable minimum standards made
18 under Subsection (b) of this section applies to an assisted living
19 facility or a part of a facility for which construction is begun
20 after the effective date of the amendment, which may not be later
21 than January 1, 2004, including a facility converted to use as an
22 assisted living facility after that date.

23 ARTICLE 2. EFFECTIVE DATE

24 SECTION 2.01. This Act takes effect September 1, 2003.

David Bushner

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 867 was passed by the House on May 5, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 867 on May 29, 2003, by a non-record vote.

Robert Hawey

Chief Clerk of the House

I certify that H.B. No. 867 was passed by the Senate, with amendments, on May 27, 2003, by a viva-voce vote.

Lacey Spaw

Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30 PM O'CLOCK

June Shea
Secretary of State