



# Senator Eliot Shapleigh

District 29

Texas Press Release



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## **TEXAS SENATE COMMITTEE PASSES BILL FILED BY SENATOR SHAPLEIGH TO REGULATE BOARDING HOMES FOR DISABLED, ELDERLY**

### **UNREGULATED HOMES OFTEN UNSAFE, EXPOSE MENTALLY-ILL AND DISABLED RESIDENTS TO ABUSE AND EXPLOITATION**

*"So often, the elderly, veterans and those with mental illness end up in boarding homes where unscrupulous owners take advantage. This bill will deliver protections for these vulnerable Texans."*

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**AUSTIN** - Today, the Texas Senate Committee on Health and Human Services passed a bill filed by Senator Eliot Shapleigh (D- El Paso) that would mandate regulation of adult "boarding homes" for the mentally or physically disabled and the elderly.

[SB 1521](#) by Senator Shapleigh would amend the Health and Safety Code to license and regulate such homes, which are currently unregulated under Texas law. According to the Texas Health and Human Services Commission (HHSC), approximately one thousand such boarding houses exist in the state.

Without regulation, many boarding houses have [become abusive, crime ridden, unsafe and unsanitary](#). Many of these homes are not properly maintained, exposing residents to mold, faulty wiring, and other safety and fire hazards. The personal history of operators of such homes— [including past criminal history](#)— are not currently subject to investigation by the state.

Frequently in unregulated boarding homes, residents' medications are stolen or mismanaged. Residents are often left isolated, without proper care or supervision and vulnerable to exploitation and violence. For residents with mental illness, these conditions undermine their recovery efforts.

These homes are usually funded by residents' Social Security disability stipend. Without proper care, often these residents lose control over their finances while in the home, and thus lose the ability to relocate if needed.

- More -

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Current law only requires licensing, inspection and regulation of such facilities when they provide medical services, prescription administration or therapeutic services. There are no restrictions on the size, management, or operation of these facilities.

"So often, the elderly, veterans and those with mental illness end up in boarding homes where unscrupulous owners take advantage. This bill will deliver protections for these vulnerable Texans," Senator Shapleigh said.

Under [SB 1521](#):

- The Department of Aging and Disability Services (DADS) would be required to inspect and investigate each boarding house before issuing a certificate of registration or renewal;
- DADS would be required to maintain a registry of the boarding houses;
- DADS would be required to inspect a registered boarding house at least once during each two-year registration period;
- DADS would be allowed to set fees for the certificate of registration, which would cover the costs of administering the chapter;
- DADS and HHSC would be required to provide education and outreach to owners and operators of boarding houses by June 1, 2011; and
- Owners and operators of boarding houses would be required to hold a certificate of registration by September 1, 2011.

[SB 1521](#) was developed with recommendations from HHSC. During the 80th Legislative session, the Legislature passed [HB 1168](#), which required HHSC to study the issue of boarding houses and submit a [report to the Legislature](#) prior to this session. [HB 1168](#) was filed by Representative Jose Menendez (D-San Antonio) and sponsored by Senator Shapleigh.

Now that it has passed out of committee, [SB 1521](#) will go to the full Texas Senate. [HB 216](#), a companion bill to [SB 1521](#) filed by Menendez in the Texas House of Representatives, was sent to the House Calendars Committee last week.

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