



Senator Eliot Shapleigh

District 29

Texas Press Release

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TEXAS LEGISLATURE PASSES BILL TO REGULATE BOARDING HOMES FOR DISABLED, ELDERLY

BILL SPONSORED BY SENATOR SHAPLEIGH ON ITS WAY TO GOVERNOR'S DESK

"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."

AUSTIN - Today, the Texas Legislature passed a bill sponsored by Senator Eliot Shapleigh (D- El Paso) that would mandate regulation of adult "boarding homes" for the mentally or physically disabled and the elderly.

[H.B. 216](#), filed by Representative Jose Menendez (D-San Antonio) and sponsored by Senator Shapleigh, would amend the Health and Safety Code to give local governments the power 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.

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 [H.B. 216](#), HHSC would develop model statewide standards for regulation of boarding homes. Local governments would then have the option to regulate boarding homes. If they choose to regulate, then local governments would:

- inspect and investigate each boarding house before issuing a certificate of registration or renewal;
- maintain a registry of the boarding houses;
- inspect a registered boarding house at least once during each two-year registration period;

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- set fees for the certificate of registration, which would cover the costs of administering the chapter;
- provide education and outreach to owners and operators of boarding houses by June 1, 2011; and
- require that owners and operators of boarding houses hold a certificate of registration.

The bill was developed with recommendations from HHSC. During the 80th Legislative session, the Legislature passed [H.B. 1168](#), which required HHSC to study the issue of boarding houses and submit a [report to the Legislature](#) prior to this session.

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.

In addition to sponsoring [H.B. 1168](#), Senator Shapleigh also filed [S.B. 1521](#), which would have provided similar oversight provisions.

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