
SENATE FLOOR AMENDMENTS

2018 Regular Session

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 281 by Representative Talbot

1 AMENDMENT NO. 1

2 On page 1, line 3, delete "1193.9," and insert "1193.11,"

3 AMENDMENT NO. 2

4 On page 1, line 5, delete "surrogate" and insert "legal representative"

5 AMENDMENT NO. 3

6 On page 1, line 15, delete "1193.9," and insert "1193.11,"

7 AMENDMENT NO. 4

8 On page 2, line 9, after "instrument that" delete the remainder of the line and delete line 10
9 and insert "transmits and records activity and is not connected to the facility's computer
10 network."

11 AMENDMENT NO. 5

12 On page 2, line 19, delete "Surrogate" and insert "Legal representative"

13 AMENDMENT NO. 6

14 On page 2, line 22, delete "a surrogate" and insert "his legal representative"

15 AMENDMENT NO. 7

16 On page 2, line 24, delete "surrogate" and insert "his legal representative"

17 AMENDMENT NO. 8

18 On page 2, line 28, after "installation" delete "and" and insert ", operation,"

19 AMENDMENT NO. 9

20 On page 2, line 29, after "maintenance" insert ", and removal"

21 AMENDMENT NO. 10

22 On page 3, line 1, delete "surrogate," and insert "legal representative,"

23 AMENDMENT NO. 11

24 On page 3, delete lines 3 through 5 and insert the following:

25 "B. If the structure of the resident's room must be altered in order to
26 accommodate a monitoring device, then the renovation to the room may be done
27 only by a licensed contractor, subject to approval by the facility.

28 C. Any monitoring device installed in accordance with the provisions of this
29 Chapter shall be in compliance with the National Fire Protection Association Life
30 Safety regulations."

1 AMENDMENT NO. 12

2 On page 3, line 11, delete "this right" and insert "the right to install or remove a monitoring
3 device"

4 AMENDMENT NO. 13

5 On page 4, line 2, delete "surrogate" and insert "his legal representative"

6 AMENDMENT NO. 14

7 On page 4, between lines 5 and 6, insert the following:

8 "E. The monitoring device shall be in a fixed, stationary position and shall
9 monitor only the resident who consents either personally or through his legal
10 representative to be monitored."

11 AMENDMENT NO. 15

12 On page 4, at the end of line 8, delete "a surrogate." and insert "his legal representative."

13 AMENDMENT NO. 16

14 On page 4, line 12, delete "a surrogate" and insert "his legal representative"

15 AMENDMENT NO. 17

16 On page 4, line 19, delete "surrogate" and insert "his legal representative"

17 AMENDMENT NO. 18

18 On page 4, line 24, delete "surrogate," and insert "legal representative,"

19 AMENDMENT NO. 19

20 On page 5, line 15. after "shall be" delete the remainder of the line and delete lines 16 and
21 17 and insert "subject to appropriate action by the department as set forth in rules
22 promulgated pursuant to this Part."

23 AMENDMENT NO. 20

24 On page 5, line 25, delete "with or"

25 AMENDMENT NO. 21

26 On page 5, lines 7 and 27, delete "surrogate" and insert "legal representative"

27 AMENDMENT NO. 22

28 On page 5, after line 27, insert the following:

29 "§1193.9. Public notice; signage of electronic monitoring device
30 A. If a resident of a nursing facility conducts electronic monitoring, a sign
31 shall be clearly and conspicuously posted at the main entrance of the nursing facility
32 building to alert and inform visitors. The sign shall be in a large, clearly legible type
33 and font and bear the words "Electronic Monitoring" and shall further state in
34 equally legible type and font "The rooms of some residents may be equipped with
35 electronic monitoring devices installed by or on behalf of the resident."
36 B. A sign shall be clearly and conspicuously posted at the entrance of a
37 resident's room where authorized electronic monitoring is being conducted. The sign

1 shall be in large, clearly legible type and font and bear the words "This room is
2 electronically monitored."

3 C. The nursing facility shall be responsible for reasonable costs of installation
4 and maintenance of the sign required by Subsection A of this Section. The resident
5 or his legal representative shall be responsible for installing and maintaining the sign
6 required pursuant to Subsection B of this Section, which shall also be in accordance
7 with the written policy of the nursing facility.

8 §1193.10. Reporting abuse and neglect

9 Any person who views an incident which a reasonable man would consider
10 abuse or neglect after viewing a recording made in a nursing facility shall report the
11 incident to the facility as soon as is practicable after the viewing. The facility shall
12 be provided with a copy of the recording in which the suspected incident of abuse
13 or neglect occurred. If the recording must be transferred to a different format to be
14 viewed, the transfer shall be done at the expense of the facility by a qualified
15 professional who can certify that the contents of the recording were not altered."

16 AMENDMENT NO. 23

17 On page 6, at the beginning of line 1, delete "§1193.9." and insert "§1193.11."

18 AMENDMENT NO. 24

19 On page 6, line 2, delete "and the ombudsman"

20 AMENDMENT NO. 25

21 On page 6, line 20, delete "surrogate" and insert "his legal representative"