

BILL ANALYSIS

S.B. 71
By: Nelson
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Reports indicate that many Texas communities are not currently served by a sexual assault nurse examiner or do not have convenient access to one. It has been suggested that sexual assault survivors in these communities have the burdensome choice between receiving care from emergency room staff, driving to the nearest sexual assault nurse examiner, or declining the collection of evidence. S.B. 71 seeks to address this issue by creating a statewide telehealth center for sexual assault forensic medical examination.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Attorney General of Texas in SECTION 1 of this bill.

ANALYSIS

S.B. 71 amends the Government Code to require the attorney general to establish the statewide telehealth center for sexual assault forensic medical examination to expand access to sexual assault nurse examiners for underserved populations. The bill authorizes the center to facilitate the provision by a sexual assault nurse examiner of the following:

- training or technical assistance to a sexual assault examiner on conducting a forensic medical examination on a survivor and the use of telehealth services; and
- consultation services, guidance, or technical assistance to a sexual assault examiner during a forensic medical examination on a survivor.

The bill authorizes the center to facilitate the use of telehealth services during a forensic medical examination on a survivor to the extent authorized by other law and with permission from the facility or entity where the forensic medical examination is conducted. The bill authorizes the center to deliver other services as requested by the attorney general to carry out the purposes of the bill's provisions.

S.B. 71 requires the center and the attorney general to develop operation protocols to address compliance with applicable laws and rules governing the following:

- telehealth services;
- standards of professional conduct for licensure and practice;
- standards of care;
- maintenance of records;

- technology requirements;
- data privacy and security of patient information; and
- the operation of a telehealth center.

The bill requires the center to make every effort to ensure the system through which the center operates for the provision of telehealth services meets national standards for interoperability to connect to telehealth systems outside of the center.

S.B. 71 authorizes the attorney general to enter into any contract the attorney general considers necessary to implement the bill's provisions. The bill authorizes the legislature to appropriate money to the attorney general to establish the center and sets out the purposes for which the attorney general may provide funds to the center. The bill requires the attorney general, in implementing the bill's provisions, to consult with certain persons and entities. The bill authorizes the attorney general to adopt rules as necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2019.