

## **BILL ANALYSIS**

S.B. 970  
By: Kolkhorst  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

State law contains numerous programs and reporting requirements for the Department of State Health Services (DSHS) and the Health and Human Services Commission (HHSC). Some of these programs are no longer funded or were never implemented due to a lack of funding. S.B. 970 seeks to modernize state law to more accurately reflect the current functions and statutory requirements of DSHS and HHSC by repealing several defunct programs, unfunded mandates, and unnecessary reporting requirements, among other changes.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 970 abolishes the following on the bill's effective date:

- the children's outreach heart program;
- the oral health improvement services program;
- the arthritis control and prevention program;
- the health care information technology advisory committee;
- the diabetes intervention pilot program;
- the prescription drug donation pilot program; and
- the Health and Human Services Office of Community Transportation Services.

The bill provides that, on the bill's effective date, the following occurs:

- any remaining obligations, rights, contracts, records, real and personal property, funds, appropriations, and money of the children's outreach heart program, the arthritis control and prevention program, the oral health improvement services program, the diabetes intervention pilot program, and the prescription drug donation pilot program are transferred to the Department of State Health Services (DSHS);
- any remaining obligations, rights, contracts, records, real and personal property, funds, appropriations, and money of the health care information technology advisory committee are transferred to the statewide health coordinating council; and
- any remaining obligations, rights, contracts, records, real and personal property, funds, appropriations, and money of the Health and Human Services Office of Community Transportation Services are transferred to the Health and Human Services Commission.

S.B. 970 repeals the following:

- the requirement for DSHS to issue a biennial report to the legislature about the relative efficacy of services delivered by school-based health centers during the preceding two years and any increased academic success of students at campuses served by those centers;
- the requirement for DSHS to implement a registration program for existing needleless systems and sharps with engineered sharps injury protection implemented by an applicable governmental unit;
- the requirement for physicians, medical examiners, and justices of the peace to report cases or suspected cases of spinal cord injuries, traumatic brain injuries, and submersion injuries to DSHS;
- an obsolete requirement for DSHS to enter into a memorandum of understanding for coordination with the former Department of Assistive and Rehabilitative services;
- the requirement for DSHS to develop and offer a training course for persons providing hepatitis C counseling;
- provisions requiring DSHS to maintain an electronic diabetes mellitus registry for a public health district that serves a county that has a population of more than 1.5 million and in which more than 75 percent of the population lives in a single municipality;
- the requirement for the statewide health coordinating council to develop and establish a clearinghouse for health professionals seeking collaborative practice as part of the comprehensive health professions resource center;
- provisions relating to the registration of a tattooist or body piercer with DSHS;
- the requirement for each manufacturer of cigarettes or tobacco products to assign a nicotine yield rating to each cigarette or tobacco product distributed in Texas in accordance with DSHS standards;
- the requirement for a wholesale distributor of prescription drugs applying for or renewing a license to submit payable to the state a bond or other equivalent security acceptable to DSHS in the amount of \$100,000 payable to the state; and
- the requirement for DSHS to develop a model program that can be used to provide information and follow-up consultation about sudden infant death syndrome and its characteristic grief-guilt reaction.

S.B. 970 amends the Health and Safety Code to remove the following requirements:

- the requirement for DSHS to maintain a population data base of persons with Alzheimer's disease and related disorders in Texas; and
- the requirement for DSHS to include in its biennial report on immunizations recommendations about the best way to use, and communicate with, local registries in Texas.

S.B. 970 repeals provisions establishing an oral health improvement services program in DSHS for purposes of providing comprehensive oral health services to eligible individuals. Instead, the bill gives DSHS the discretion to establish an oral health services program similar in scope to the former oral health improvement services program. The bill retains existing provisions relating to the authorized components of the current oral health improvement services program, but removes language authorizing the program to include specified treatment services and certain oral disease prevention that includes the development of appropriate means for prevention of oral disease, including the continued use of recognized methods of primary, secondary, and tertiary prevention. The bill also updates the definition of "oral health services" to reflect this narrowing in scope.

S.B. 970 repeals Section 38.064, Education Code; Chapter 131, Human Resources Code; and the following provisions of the Health and Safety Code:

- Chapter 39;
- Sections 43.003(a)(3), (4), and (5);
- Sections 43.004(a), (b), (c), and (f);
- Section 43.006;

- Section 43.007;
- Section 43.008;
- Section 43.009;
- Section 43.010;
- Section 43.011;
- Section 43.012;
- Section 43.013;
- Section 43.014;
- Section 81.307;
- Section 92.003;
- Section 92.010;
- Section 94.004;
- Subchapter B, Chapter 95;
- Chapter 97;
- Section 104.0156;
- Section 105.007;
- Section 146.0021;
- Section 146.022;
- Section 146.023;
- Section 146.024;
- Section 146.025;
- Section 161.353;
- Section 168.010;
- Section 431.408;
- Subchapter O, Chapter 431; and
- Section 673.004.

**EFFECTIVE DATE**

September 1, 2021.