

- SUBJECT:** Tuberculosis screening for prison employees
- COMMITTEE:** Corrections — favorable, without amendment
- VOTE:** 6 ayes — Hightower, Gray, Culberson, Farrar, Serna, Telford
0 nays
3 absent — Allen, Longoria, Pitts
- WITNESSES:** For — Carol McMillan, Texas State Employees Union; Robin Anderson, American Lung Association of Texas; Debbie Louder, Gatesville AFSCME; Linnie M. Stone; Ann E. Darby
Against — None
- BACKGROUND:** In 1993 the 73rd Legislature, in SB 57 by Moncrief, required jail and community corrections facility employees or volunteers to present a certificate signed by a doctor showing that they have been tested and do not have tuberculosis. Employees and volunteers are required to pay for the test unless commissioners courts, local health departments or public health districts elect to provide them. The bill also required the Texas Department of Criminal Justice (TDCJ) to establish "similar" tuberculosis screening requirements for department employees and volunteers.
- DIGEST:** HB 1696 would require the institutional division of the Texas Department of Criminal Justice to provide tuberculosis screening for employees who request it. The bill would take immediate effect if approved by two-thirds of the membership of each house.
- SUPPORTERS SAY:** The institutional division of TDCJ screens inmates for tuberculosis and should provide the same service for employees who request it. TDCJ has developed policies and procedures for providing the tests for employees, but it has not implemented a program due to lack of funding. Current law requires employees and volunteers to pay for the test unless provided by employers or a public health department. This bill would require the institutional division to provide screening for employees who request it.

HB 1696 would meet the current need for employees who work in the high-risk areas of prisons and other facilities to be tested.

HB 1696 is necessary to combat an especially high rate of tuberculosis infection among persons in correctional facilities. In 1994 the tuberculosis case rate in TDCJ was 61.9 per 100,000 inmates, while the state average was 13.9 per 100,000. About 15 percent of TDCJ inmates have the disease, while the general public rate is estimated at less than 5 percent.

Prison employees are especially vulnerable to tuberculosis because of the close quarters, frequent crowding and poor ventilation in prisons. Tuberculosis, a contagious lung disease, is spread through the air, mainly by droplets through sneezing or coughing, and often spreads quickly among person in close contact with infected individuals. Allowing TDCJ employees to request screening can help protect employees and help prevent an epidemic. Tuberculosis can be prevented, and in most cases cured, but to gain control over the spread of the disease, employees need to be screened.

HB 1696 would apply only to employees who request screening. Some institutional division office workers may never come in contact with inmates and most likely would not need or request the screening. TDCJ is already equipped to handle tuberculosis testing of employees at each unit. Inmates are tested when they enter the system as well as annually. In addition, TDCJ provides free screening for employees who may have been exposed.

According to the fiscal note, HB 1696 would have no significant fiscal implications to the state. It is much cheaper to screen employees for tuberculosis and catch exposure early than to treat the disease.

**OPPONENTS
SAY:**

The potential costs of testing for the approximately 31,000 institutional division employees has not been determined. It is unfair to ask TDCJ to absorb what could be substantial costs, between \$2 and \$3 per test for materials and labor by one estimate, for screening any employee who demands a test.

NOTES: Rep. Maxey said he would offer an amendment to include the employees of the correctional managed health care plan.