

SUBJECT: Accessing records involved in hearing aid complaints

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — Price, Sheffield, Burkett, Coleman, Cortez, Guerra, Klick,
Oliverson, Zedler

0 nays

2 absent — Arévalo, Collier

WITNESSES: For — Patsy Knight

Against — None

On — (*Registered, but did not testify*: Brian Francis, Texas Department of
Licensing and Regulation)

BACKGROUND: The Texas Department of Licensing and Regulation (TDLR) is the state entity responsible for receiving, investigating, and enforcing complaints made against licensed providers of hearing instruments under Occupations Code, ch. 402. Under sec. 402.154, the department is authorized to release information and materials to an individual who is involved in a complaint against a licensed provider of hearing instruments. Some observers express concern that access by clients to these medical records in some cases may not be assured.

DIGEST: HB 1544 would require the Texas Department of Licensing and Regulation (TDLR), at the request of a client of a licensed hearing instruments provider, to give the client a copy of the provider's records relating to the client obtained by TDLR in connection with a complaint filed by the client and investigation against the license holder.

The bill would take effect September 1, 2017.