

SUBJECT: Releasable information about high-consequence communicable diseases

COMMITTEE: Public Health — committee substitute recommended

VOTE: 10 ayes — Price, Sheffield, Arévalo, Burkett, Coleman, Cortez, Guerra, Klick, Oliverson, Zedler

0 nays

1 absent — Collier

WITNESSES: For — Eduardo Olivarez, Hidalgo County Health and Human Services Department; (*Registered, but did not testify*: Juliana Kerker, American Congress of Obstetricians and Gynecologists--Texas district; Bill Kelly, City of Houston- Mayor's Office; Elizabeth Lippincott, Texas Border Coalition; Carrie Kroll, Texas Hospital Association; Joshua Houston, Texas Impact; Troy Alexander, Texas Medical Association; Claire Bocchini; Wilson Lam; Alexandra Peek; Cherise Rohr-Allegrini)

Against — None

On — Allison Winnike; (*Registered, but did not testify*: Janna Zumbrun, Texas Department of State Health Services)

BACKGROUND: Health and Safety Code, ch. 81 is the Communicable Disease Prevention and Control Act. Sec. 81.046(c) allows the release to certain entities of certain medical or epidemiological information, including information linking a person exposed to someone with a communicable disease. Subsection (c)(4) authorizes the release of such information to appropriate federal agencies, but the information must be limited to the probable source of infection; the date of disease onset; the name, address, sex, race, and occupation of the patient; and other relevant requested information.

Questions have been raised about the emergence of high-consequence communicable diseases such as the Zika virus and the constraints placed on state and local health officials in reporting related medical and

epidemiological information to federal agencies, including with regard to pregnant women infected with Zika and their newborns.

DIGEST:

CSHB 3576 would address the information that health officials could release to federal agencies under the Communicable Disease Prevention and Control Act if a person had or was suspected of having a present or potential health condition resulting from exposure to a high-consequence communicable disease, such as the Zika virus. The information that could be released would be the same as under Health and Safety Code, sec. 81.046(c)(4) but also could include the probable source of exposure.

The bill would require the Department of State Health Services (DSHS) to investigate the effects, in addition to the causes, of communicable disease and methods of prevention. DSHS could investigate the existence of communicable disease in Texas to determine the potential effects on the health of individuals.

CSHB 3576 also would reenact Health and Safety Code, sec. 81.046(c) to harmonize differences between two versions of the subsection that were amended through the enactment in 2015 of HB 2646 by Giddings and SB 1574 by Uresti.

To the extent of any conflict, CSHB 3576 would prevail over another act of the 85th Legislature relating to nonsubstantive additions and corrections to code.

The bill would take effect September 1, 2017.