

SUBJECT:	Removing TEA from certain rulemaking and reporting requirements
COMMITTEE:	Public Health — favorable, without amendment
VOTE:	9 ayes — S. Thompson, Wray, Allison, Frank, Guerra, Ortega, Price, Sheffield, Zedler 0 nays 2 absent — Coleman, Lucio
WITNESSES:	For — None Against — None On — (<i>Registered, but did not testify</i> : Manda Hall, Department of State Health Services; Jessica Snyder, Texas Education Agency)
BACKGROUND:	Education Code sec. 38.208(c) requires the executive commissioner of the Health and Human Services Commission (HHSC) to consult with the commissioner of the Texas Education Agency (TEA) when the commissioner adopts rules regarding the maintenance, administration, and disposal of an epinephrine auto-injector at certain schools. Sec. 38.209 requires a school that administers epinephrine to report certain information to various entities, including the education commissioner. Some observers suggest that there are certain redundancies in statutory provisions on the maintenance, administration, and disposal of epinephrine auto-injectors.
DIGEST:	HB 3881 would remove the commissioner of the Texas Education Agency from rulemaking responsibilities and from the list of report recipients regarding the administration of epinephrine at certain schools. The bill would require schools to include in their reports any information deemed

necessary by the commissioner of the Department of State Health Services.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.