

## **BILL ANALYSIS**

Senate Research Center

H.B. 2472  
By: Maxey (Moncrief)  
Health & Human Services  
5-17-97  
Committee Report (Amended)

### **DIGEST**

Brain injury is a leading cause of death and injury in the United States. Interpolating from national estimates, Texans suffer 144,000 brain injuries per year and about 6,500 are severe and permanently disabling. The Traumatic Brain Injury Act of 1996 was passed by Congress and signed by the President in July of 1996. This Act provides funding to states for planning, demonstration, and surveillance. In February 1997, Governor Bush designated the Texas Planning Council for Developmental Disabilities as the agency responsible for developing the Texas Traumatic Brain Injury Advisory Council. Reliable data regarding brain injuries in Texas is necessary in order to formulate policy with regard to traumatic brain injury and to accurately assess and improve the state's brain injury rehabilitation service delivery system. This bill will provide regulations regarding the reporting of certain injuries to the Texas Department of Health.

### **PURPOSE**

As proposed, H.B. 2472 provides regulations regarding the reporting of certain injuries to the Texas Department of Health.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 88.001, Health and Safety Code, by adding Subdivision (3), to define "traumatic brain injury."

SECTION 2. Amends Section 88.002(a), Health and Safety Code, to make a conforming change.

SECTION 3. Amends Section 88.003(c), Health and Safety Code, to authorize the Texas Board of Health (board) to require reports to contain any information necessary to achieve the purposes of this chapter. Makes a nonsubstantive change.

SECTION 4. Amends Sections 88.008(a) and (g), Health and Safety Code, to provide that the technical advisory committee is entitled to review and comment on the board's rules under Section 88.002(b), rather than Section 87.002(b), before the rules are proposed. Make a conforming change.

SECTION 5. Amends Section 88.009, Health and Safety Code, to require the Texas Department of Health and the Texas Workers' Compensation Commission to exchange relevant injury data on an ongoing basis notwithstanding Section 88.006, rather than 87.006 of this chapter. Makes conforming and standard recodification changes.

SECTION 6. Amends Chapter 88, Health and Safety Code, by adding Sections 88.010 and 88.011, as follows:

Sec. 88.010. COORDINATION WITH TEXAS REHABILITATION COMMISSION.  
Requires the department and the Texas Rehabilitation Commission to enter into a memorandum of understanding regarding certain activities.

Sec. 88.011. COORDINATION WITH TEXAS TRAUMATIC BRAIN INJURY ADVISORY COUNCIL. Requires the department and the Texas Brain Injury Advisory Council to enter into a memorandum of understanding regarding certain activities.

SECTION 7. Effective date: September 1, 1997.

SECTION 8. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

Amendment 1.

- (1) On page 1, line 21, delete the underlined colon.
- (2) On page 1, line 22, delete the underlined (l) and the underlined ";and"
- (3) On page 1, lines 23-24, delete the underlined language.
- (4) On page 3, line 19, delete "notwithstanding" and substitute "to the extent allowed by".
- (5) On page 3, line 22, add "and" after the semicolon.