

## **BILL ANALYSIS**

Senate Research Center

S.B. 831  
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Health and Human Services  
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As Filed

### **DIGEST**

Currently, the state is not required by law to provide tuberculosis screening tests for its public safety employees or to pay certain expenses of the public safety employee who contracts the disease during the employee's course of employment with the state. The prevalence of tuberculosis among certain populations such as prisoners, indigents, recent immigrants, institutionalized patients and AIDS patients is a major health concern. Fire fighters and EMS personnel are routinely exposed to all of these high risk populations during the course of their duties. Tuberculosis exposures for emergency personnel jumped from 13.3 percent of all communicable diseases exposures in 1990 to 38.6 percent in 1995, according to the International Association of Firefighters. This bill would require the state and each political subdivision of the state to provide tuberculosis screening tests for its public safety employees and to pay certain medical expenses and salary of the public safety employee who contracts the disease during the course of employment with the state.

### **PURPOSE**

As proposed, S.B. 831 requires the state and each political subdivision of the state to provide tuberculosis screening tests for its public safety employees and to pay certain medical expenses and salary of the public safety employee who contracts the disease during the course of employment.

### **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 607.001, Government Code, as follows:

Sec. 607.001. New heading. DEFINITIONS. Defines "screening test" and "tuberculosis."  
Makes conforming and nonsubstantive changes.

SECTION 2. Amends Chapter 607, Government Code, by adding Section 607.005, as follows:

Sec. 607.005. TUBERCULOSIS BENEFITS. Requires the state and each political subdivision of the state to provide annual tuberculosis screening tests for its public safety employees. Provides that it is presumed that a person who contracts tuberculosis while employed as a public safety employee contracted the disease during the course of employment. Provides that the state or political subdivision of the state employing the public safety employee has the burden of rebutting the presumption that the employee contracted tuberculosis during the course of employment by clear and convincing evidence. Requires the state or political subdivision of the state employing a public safety employee who contracts tuberculosis during the course of employment to pay the medical expenses incurred by the employee in treating the disease that are not reimbursed or otherwise covered under any health benefit plan covering the employee, and the employee's salary, including pay for overtime built into the normal work schedule, for work missed because of the disease.

SECTION 3. Emergency clause.  
Effective date: upon passage.