

## **BILL ANALYSIS**

Senate Research Center  
76R5317 CMR-D

H.B. 1652  
By: Maxey (Nelson)  
Health Services  
5/12/1999  
Committee Report (Amended)

### **DIGEST**

Currently, as many as 350,000 Texans may be infected with the hepatitis C virus. Because it does not initially cause symptoms, many infected people do not know they carry the disease. Testing for this disease is expensive and not readily available; however, without widespread testing and diagnosis, people who carry the disease cannot improve their health outcomes and reduce the risk of transmission simply because of ignorance that they are carriers. H.B. 1652 creates an education and prevention program for the hepatitis C virus.

### **PURPOSE**

As proposed, H.B. 1652 creates an education and prevention program for the hepatitis C virus.

### **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 Title 2D, Health and Safety Code, by adding Chapter 93, as follows:

#### CHAPTER 93. EDUCATION AND PREVENTION PROGRAM FOR HEPATITIS C

Sec. 93.001. HEPATITIS C EDUCATION AND PREVENTION PROGRAM. Requires the Texas Department of Health (TDH) to develop a program to heighten awareness and enhance knowledge and understanding of hepatitis C. Sets forth requirements for TDH.

Sec. 93.002. DEPARTMENT VOLUNTARY TESTING PROGRAMS. Requires TDH to establish voluntary hepatitis C testing programs at facilities providing voluntary HIV testing under Section 85.082, Health and Safety Code, to make confidential counseling and testing available. Authorizes TDH to contract with public and private entities to perform the testing. Prohibits test results from being used for insurance or employment purposes. Provides that a person who intentionally violates Subsection (c) is liable to a person injured by the violation. Authorizes the injured person to bring a civil action to recover certain damages resulting from a violation. Authorizes an injured person to bring an action to restrain a violation or threatened violation of Subsection (c).

Sec. 93.003. TRAINING OF COUNSELORS. Requires TDH to develop and offer a training course for persons offering hepatitis C counseling. Sets forth requirements for the training course. Requires TDH to maintain a registry of persons who successfully complete the training course. Authorizes TDH to charge a course fee to certain individuals. Requires the Texas State Board of Medical Examiners to set the fee in an amount necessary to cover the costs of providing the course. Authorizes TDH to contract for the training of counselors.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Provides that this Act takes effect September 1, 1999, but only if a specific appropriation is made in H.B. No. 1, 76th Legislature.

SECTION 4. Emergency clause.

