

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1156  
By: Carona  
Health Services  
5/5/1999  
Committee Report (Substituted)

### **DIGEST**

The mission of an injury prevention center is to reduce the incidence and severity of injuries through education, public information, data collection, community advocacy, and research. C.S.S.B. 1156 would require the Texas Department of Health (department) to designate seven regional centers for injury prevention for the state in certain localities and require the regional injury prevention centers to coordinate injury prevention control activities within the public health regions for the state designated by the department by rule.

### **PURPOSE**

As proposed, C.S.S.B. 1156 sets forth provisions for the designation of regional injury prevention centers.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Department of Health in SECTION 1 (Section 779.002(b), Title 9B, Health and Safety Code) and to the Texas Board of Health in SECTION 1 (Section 779.009(d), Title 9B, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 9B, Health and Safety Code, by adding Chapter 779, as follows:

#### **CHAPTER 779. REGIONAL INJURY PREVENTION CENTERS**

Sec. 779.001. DEFINITIONS. Defines “board” and “department.”

Sec. 779.002. REGIONAL INJURY PREVENTION CENTERS. Requires the Texas Department of Health (department) to designate seven regional centers for injury prevention for the state in certain localities. Requires the regional injury prevention centers to coordinate injury prevention control activities within the public health regions for the state designated by the department by rule. Authorizes the department to adopt rules permitting regional injury prevention centers to provide services for regions served by other injury prevention centers in this state as necessary to maximize efficient use of resources and to provide appropriate services in each region. Requires each regional prevention center to affiliate with a level one, two, or three trauma center as defined by the American College of Surgeons.

Sec. 799.003. COMMUNITY PROGRAMS AND ASSISTANCE. Requires an injury prevention center to work with communities and neighborhoods to help establish their injury prevention priorities; help communities define and implement interventions; develop links between electronic datatbases to provide data to community entities; provide leadership by bringing community entities together to address injury issues; and undertake a continuing epidemiologic evaluation of the effectiveness of community based interventions in reducing the number and extent of injuries and in reducing costs.

Sec. 779.004. RESOURCE CENTER. Requires the department to designate one of the regional injury prevention centers as the statewide resource center to provide to the other regional injury prevention centers certain assistance. Provides that the department’s designation of an injury prevention center as the statewide resource center is for a five-year period.

Sec. 779.005. RESEARCH PROGRAMS. Authorizes a regional injury prevention center to

conduct a research program to improve treatments for trauma victims and to reduce the severity of injuries from trauma and to accept gifts or grants from public or private sources to be used for research.

Sec. 779.006. PROVIDING INFORMATION AT BIRTH. Requires the department to assist regional injury prevention centers in providing informational packets on injury prevention to parents shortly after a child's birth because injury is a leading cause of death among children and adolescents.

Sec. 779.007. STATE LIABILITY. Provides that a regional injury prevention center and the Coordinating Committee on Injury Prevention (committee) are governmental units for purposes of Chapter 101, Civil Practice and Remedies Code, and are entitled to governmental immunity. Requires a tort claim against a regional injury prevention center or the committee to be made under Chapter 101, Civil Practice and Remedies Code. Provides that an employee, director, officer, volunteer, member of a regional injury prevention center or the committee is entitled to the benefits conferred to a state employee under Chapter 104, Civil Practice and Remedies Code. Provides that an employee, director, officer, volunteer, member of a regional injury prevention center or the committee is a public servant for purposes of Chapter 108, Civil Practice and Remedies Code.

Sec. 779.008. COORDINATING COMMITTEE. Requires the committee to advise the Texas Board of Health (board) and the Advisory Commission on State Emergency Communications (advisory commission). Requires the committee to make recommendations to the board regarding which entity operates each regional injury prevention center. Provides that the committee is composed of three members appointed by the governor, three members appointed by the lieutenant governor, and one member appointed by the board from certain entities. Provides that Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory committee.

Sec. 779.009. FUNDING; GIFTS AND GRANTS. Requires the sponsoring entity of each regional injury prevention center to contribute 40 percent of each regional injury prevention center's budget. Requires the state to provide 60 percent of each regional injury prevention center's budget. Requires, per the intent of the legislature, to the extent possible, money provided by the state to come from tobacco litigation money the state receives under the Comprehensive Settlement Agreement and Release filed in the case of The State of Texas v. The American Tobacco Co., et al., No. 5-96CV-91, in the United States District Court, Eastern District of Texas. Requires the state to provide all funding for statewide activities of the resource center. Requires the department to establish a program to award grants to fund the regional injury prevention centers. Requires the board to adopt rules to establish criteria for awarding certain grants. Sets forth the required rulemaking considerations. Authorizes the department to accept gifts or grants from any source for purposes related to this chapter.

SECTION 2. Provides that this Act takes effect on September 1, 1999, but only if a specific appropriation for the implementation of this Act is made in H.B. No. 1, Acts of the 76th Legislature, Regular Session, 1999 (the General Appropriations Act). Provides that if H.B. No. 1 does not make a specific appropriation for the implementation of this Act, this Act has no effect.

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Amends Section 779.002, Chapter 779, Title 9B, Health and Safety Code, to require the Texas Department of Health (department) to designate seven regional centers for injury prevention for the state in certain localities, including Tyler.

Amends Section 779.007, Chapter 779, Title 9B, Health and Safety Code, by deleting the proposed text and replacing it with text regarding state liability.

#### SECTION 2.

Provides that this Act takes effect on September 1, 1999, but only if a specific appropriation for the implementation of this Act is made in H.B. No. 1, Acts of the 76th Legislature, Regular Session, 1999 (the General Appropriations Act). Provides that if H.B. No. 1 does not make a specific appropriation for the implementation of this Act, this Act has no effect.

### SECTION 3.

Redesignated from proposed SECTION 2. Deletes proposed text providing that this Act takes effect and be in force from and after its passage.