

## **BILL ANALYSIS**

Senate Research Center  
76R1137 PEP-D

S.B. 43  
By: Shapiro  
Criminal Justice  
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As Filed

### **DIGEST**

Currently, in Texas, there is no reliable, accurate system to track and identify drug trends and drug use, because hospitals and medical professionals are not required by law to report overdoses of serious drugs. Drug trends are currently tracked by the federal government and the Texas Commission on Alcohol and Drug Abuse, but the statistics are taken from sample data and do not provide a clear picture of the drug problems in Texas. This bill requires a doctor to report an overdose of any controlled substance to law enforcement authorities.

### **PURPOSE**

As proposed, S.B. 43 requires a physician to report an overdose of any controlled substance to law enforcement authorities.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Department of Public Safety in SECTION 3 (Section 411.048(b), Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the title of Chapter 161E, Health and Safety Code, as follows:

SUBCHAPTER E. New heading: REPORTS OF GUNSHOT WOUNDS AND CONTROLLED  
SUBSTANCE OVERDOSES

SECTION 2. Amends Section 161.041, Health and Safety Code, to require a physician to report an overdose of a controlled substance. Requires the report to include certain information but not the person's name or address or any other information concerning the person's identity. Makes conforming changes.

SECTION 3. Amends Chapter 411D, Government Code, by adding Section 411.048, as follows:

Sec. 411.048. REPORTING RELATED TO CONTROLLED SUBSTANCE OVERDOSES. Requires the Department of Public Safety (DPS) to maintain a central repository for the collection and analysis of information gathered on incidents of controlled substance overdose. Requires DPS, by rule, to adopt procedures for local law enforcement to provide to DPS information from the reports made under Subsection (a). Requires DPS to collect in the central repository certain information concerning overdoses of controlled substances but not information concerning the person's identity. Requires DPS to release statistical information from the central repository on the request of a medical professional or a representative of a law enforcement agency.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.