

BILL ANALYSIS

Senate Research Center
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S.B. 1289
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DIGEST AND PURPOSE

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. As proposed, S.B. 1289 requires 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 rule by the department.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Health in SECTION 1 (Section 780.002, Health and Safety Code) and to the Texas Board of Health in SECTION 1 (Section 780.009, Health and Safety Code).

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 9B, Health and Safety Code, by adding Chapter 780, as follows:

CHAPTER 780. REGIONAL INJURY PREVENTION CENTERS

Sec. 780.001. DEFINITIONS. Defines “board” and “department.”

Sec. 780.002. REGIONAL INJURY PREVENTION CENTERS. Requires the Texas Department of Health (department) to designate seven regional centers for injury prevention for the state in certain locations. 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 provide appropriate service in each region. Requires each regional injury prevention center (center) to affiliate with a level one, two, or three trauma center as defined by the American College of Surgeons.

Sec. 780.003. COMMUNITY PROGRAMS AND ASSISTANCE. Requires a center to provide certain programs and services.

Sec. 780.004. RESOURCE CENTER. Requires the department to designate one of the centers as the statewide resource center to provide certain information and assistance to the other centers. Provides that the department’s designation of a center as the statewide resource center is for a five-year period.

Sec. 780.005. RESEARCH PROGRAMS. Authorizes a center to conduct a research program to improve treatments for trauma victims and to reduce the severity of injuries from trauma. Authorizes a center to accept gifts or grants from public or private sources to be used for research.

Sec. 780.006. PROVIDING INFORMATION AT BIRTH. Requires the department, because injury is a leading cause of death among children and adolescents, to assist the centers in providing informational packets on injury prevention to parents shortly after birth.

Sec. 780.007. STATE LIABILITY. Provides that a center is considered a state agency only for the purposes of Chapter 104 (State Liability for Conduct of Public Servants), Civil Practice and Remedies Code. Provides that an employee or former employee of a center is considered a state employee or former state employee only for the purposes of Chapter 104, Civil Practice and Remedies Code.

Sec. 780.008. COORDINATING COMMITTEE. Requires the Coordinating Committee on Injury Prevention (committee) to advise the Texas Board of Health (board) and the Commission on State Emergency Communications (commission). Requires the committee to make recommendations to the board regarding which entity shall operate each center. Sets forth the membership requirements of the committee and the individuals or entities that appoint the members. Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the size, composition, or duration of the committee.

Sec. 780.009. FUNDING; GIFTS AND GRANTS. (a) Requires the sponsoring entity of each center to contribute 40 percent of the center's budget. Requires the state to provide 60 percent of each center's budget. Provides that it is the intent of the legislature, to the extent possible, to require that the money provided by the state come from tobacco litigation money the state receives under the Comprehensive Settlement Agreement and Release filed in a specific court case.

(b) Requires the state to provide all funding for statewide activities of the resource center.

(c) Requires the department to establish a program to award grants to fund the centers.

(d) Requires the board to adopt rules to establish criteria for awarding the grants. Provides that the rules must require the department to consider certain criteria.

(e) Authorizes the department to approve grants according to adopted rules. Provides that a grant awarded under this section is governed by Chapter 783 (Uniform Grant and Contract Management), Government Code, and the rules adopted under that chapter.

(f) Authorizes the department to accept gifts or grants from any source for purposes related to this chapter.

SECTION 2. Effective date: upon passage or September 1, 2001.