

BILL ANALYSIS

Senate Research Center
77R10263 JRD-F

C.S.S.B. 1289
By: Carona
Health & Human Services
3/27/2001
Committee Report (Substituted)

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. C.S.S.B. 1289 requires the Texas Department of Health (department) to designate a model center for injury prevention for the state and requires the model injury prevention center to coordinate injury prevention control activities for the state in the manner that the department prescribes by rule.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

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

CHAPTER 780. MODEL INJURY PREVENTION CENTER

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

Sec. 780.002. INJURY PREVENTION CENTER. Requires the Texas Department of Health (department) to designate a model center for injury prevention for the state. Sets forth the requirements for an injury prevention center to be eligible for designation as the model center. Provides that the department’s designation of an injury prevention center as the model injury prevention center is for a five-year period. Requires the model injury prevention center (center) to coordinate injury prevention control activities for the state in the manner that the department prescribes by rule. Authorizes the department to adopt rules permitting the center 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 services. Requires the 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 the center to provide certain programs and services.

Sec. 780.004. RESOURCE CENTER. Requires the center to serve as the statewide resource center to provide certain information and assistance. Requires the center to develop and publish a statewide strategic plan regarding the center’s activities under this chapter and regarding ways to improve injury prevention efforts in this state.

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

Sec. 780.006. STATE LIABILITY. Provides that the 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 the center during the time that the center is designated as the model injury prevention center is considered a state employee or former state employee only for the purposes of Chapter 104, Civil Practice and Remedies Code.

Sec. 780.007. GIFTS AND GRANTS. Authorizes the department to approve grants to the center 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. 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.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed S.B. 1289, as follows:

CHAPTER 780. New heading: MODEL INJURY PREVENTION CENTER

Sec. 780.002. New heading: INJURY PREVENTION CENTER. Requires the Texas Department of Health (department) to designate a model center for injury prevention in this state. Sets forth the requirements for an injury prevention center to be eligible for designation as the model injury prevention center (center). Provides that the department's designation of an injury prevention center as the center is for a five-year period. Makes conforming changes.

Sec. 780.003. Requires that, in addition to other programs and services, the center maintain a best practices website for review and use by communities and institutions.

Sec. 780.004. Adds the requirement that the center develop and publish a statewide strategic plan regarding the center's activities under this chapter and regarding ways to improve injury prevention efforts in this state. Makes conforming changes.

Sec. 780.005. Makes conforming changes.

Removes proposed Section 780.006 relating to providing certain injury prevention information to parents shortly after birth.

Sec. 780.006. Redesignated from proposed Section 780.007. Provides that an employee or former employee of the center during the time that the center is designated as the model injury prevention center is considered a state employee or a former state employee only for purposes of Chapter 104, Civil Practices and Remedies Code. Makes a conforming change.

Removes proposed Section 780.008 relating to the Coordinating Committee on Injury Prevention.

Sec. 780.007. New heading: GIFTS AND GRANTS. Redesignated from proposed Section 780.009. Removes wording related to funding of the injury prevention center and the adoption of rules to establish criteria for awarding grants. Makes conforming changes.

SECTION 2. No change.