

BILL ANALYSIS

Senate Research Center

H.B. 1059
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Health & Human Services
4/23/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Each year more than 200,000 individuals nationwide are hospitalized as a result of influenza or complications derived from influenza. During the past three flu seasons, more than 225 children in the United States have died due to influenza. To date, four Texas children age 16 and younger have died from influenza, three of whom had not received vaccinations.

H.B. 1059 requires school districts that operate a website, in conjunction with the Department of State Health Services, to post information on both required and recommended children's vaccinations to educate families regarding the need to vaccinate children against influenza.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Provides that this Act may be cited as the Emily Lastinger Act.

SECTION 2. Amends Section 38.001, Education Code, by amending Subsections (b), (d), and (e) and adding Subsection (b-1), as follows:

(b) Authorizes the Department of State Health Services (DSHS), rather than the Texas Board of Health, subject to Subsection (c), to modify or delete any of the immunizations in Subsection (a) or to require immunizations against additional diseases as a requirement for admission to any elementary or secondary school.

(b-1) Requires DSHS to prepare, each year, a list of the immunizations required under this section for admission to public schools and of any additional immunizations DSHS recommends for school-age children. Requires DSHS to prepare the list in English and Spanish and make the list available in a manner that permits a school district to easily post the list on the district's Internet website as required by Section 38.019.

(d) Makes a nonsubstantive change.

(e) Makes a nonsubstantive change.

SECTION 3. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.019, as follows:

Sec. 38.019. IMMUNIZATION AWARENESS PROGRAM. (a) Requires a school district that maintains an Internet website to post prominently on the website certain information relating to immunization requirements.

(a-1) Requires the link to the DSHS Internet website provided under Subsection (a)(2) to be presented in the same manner as the information provided under Subsection (a)(1).

(b) Requires the list of recommended immunizations or vaccines under Subsection (a)(2) to include the influenza vaccine, unless DSHS requires the influenza vaccine for admission to public school.

SECTION 4. Makes application of Section 38.019, Education Code, as added by this Act, prospective to the 2007-2008 school year.

SECTION 5. Effective date: upon passage or September 1, 2007.