BILL ANALYSIS

Senate Research Center
80R1020 ABC-D

H.B. 92
By: Branch (Nelson)
Health & Human Services
4/14/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A defibrillator is an electronic device that administers an electric shock of preset voltage to the heart through the chest wall in an attempt to restore a normal rhythm of the heart during ventricular fibrillation. In 2004, the United States Food and Drug Administration (FDA) first approved a certain type of automated external defibrillator (AED) for over-the-counter use without a doctor's prescription. However, other types of AEDs maintain the requirement for a doctor's prescription before purchase.

H.B. 92 provides that any AED that has been approved by the FDA for over-the-counter sale is exempted from the requirement of a doctor's prescription.

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. Amends Section 779.007, Health and Safety Code, to require certain provisions are ensured by each person or entity, other than a licensed practitioner, that acquires an automated external defibrillator that has not been approved by the United States Food and Drug Administration for over-the-counter sale.

SECTION 2. Effective date: upon passage or September 1, 2007.