

BILL ANALYSIS

Senate Research Center
81R18832 SJM-F

H.B. 2917
By: McReynolds (Shapiro)
Health & Human Services
5/20/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This legislation would allow the Department of State Health Services (DSHS) to obtain a criminal history record on an applicant for employment or current employees at the Texas Center for Infectious Disease, the South Texas Health Care System, the vital statistics unit of DSHS, the Council on Sex Offender Treatment or other division or component of DSHS that monitors sexually violent predators.

The bill requires DSHS to follow the Department of Public Safety of the State of Texas guidelines and destroy the criminal history record information that relates to an applicant for employment after that applicant is employed or, for an applicant who is not employed, after the check of the criminal history record information on that applicant is completed, or that relates to an employee or contractor after the check of the criminal history record information on that employee or contractor is completed.

H.B. 2917 amends current law relating to a authorizing DSHS to obtain criminal history record information for certain applicants for employment

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 Sections 411.110(a)-(d), Government Code, as follows:

(a) Entitles the Department of State Health Services (DSHS) to obtain from the Department of Public Safety of the State of Texas (DPS) criminal history record information maintained by DPS that relates to:

(4) an applicant for employment at or current employee of the Texas Center for Infectious Disease or the South Texas Health Care System; or

(5) an applicant for employment at, current employee of, or person who contracts or may contract to provide goods or services with the vital statistics unit of DSHS or with the Council on Sex Offender Treatment or other division or component of DSHS that monitors sexually violent predators as described by Section 841.003(a) (relates to the definitions of a sexually violent predator), Health and Safety Code.

(c) Requires DSHS to destroy the criminal history record information that relates to an applicant for employment after that applicant is employed or, for an applicant who is not employed, after the check of the criminal history record information on that applicant is completed; or an employee or contractor after the check of the criminal history record information on that employee or contractor is completed.

(d) Requires DSHS to destroy criminal history record information that relates to an applicant who is not certified or employed, as applicable, rather than an applicant that is not certified.

SECTION 2. Effective date: upon passage or September 1, 2009.