

BILL ANALYSIS

Senate Research Center

H.B. 392
By: Bohac et al. (Deuell)
Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Centers for Disease Control and Prevention lists heart disease as the leading cause of death in Texas. A study conducted by the Texas Department of State Health Services shows that almost 30 percent of people age 65 and over suffer from cardiovascular disease. As the population of Texas grows in average age, the rate of cardiovascular disease may be expected to increase proportionately.

This bill ensures the readiness of the state's nursing home facilities for cardiovascular emergencies by requiring that automated external defibrillator units be made available at all times, but prohibits use of those defibrillators on a resident who has issued or executed an out-of-hospital do-not-resuscitate order.

H.B. 392 amends current law relating to the availability and use of automated external defibrillators in nursing homes and related institutions.

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 Subchapter F, Chapter 242, Health and Safety Code, by adding Section 242.159, as follows:

Sec. 242.159. AUTOMATED EXTERNAL DEFIBRILLATORS. (a) Requires an institution to have available for use at the institution an automated external defibrillator, as defined by Section 779.001 (Definition), and to comply with training, use, and notification requirements of Chapter 779 (Automated External Defibrillators).

(b) Prohibits an institution from using an automated external defibrillator to treat a resident of the institution who has issued or executed an out-of-hospital do-not-resuscitate order under Subchapter C (Out-Of-Hospital Do-Not-Resuscitate Orders), Chapter 166 (Advance Directives).

(c) Requires each institution to at all times have at least one employee present at the institution who is trained in the proper use of an automated external defibrillator.

SECTION 2. Effective date: September 1, 2009.