

## **BILL ANALYSIS**

Senate Research Center

H.B. 595  
By: Kolkhorst (Nelson)  
Health & Human Services  
5/13/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 595 amends current law relating to certain health programs and councils.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Board of Health [abolished] is rescinded in SECTION 1 (Chapter 46, Health and Safety Code) of this bill.

Rulemaking authority previously granted to the commissioner of public health is rescinded in SECTION 1 (Chapter 83, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. (a) Repealers: Chapters 38 (Pediculosis of Minors), 46 (Tertiary Medical Care), 83 (Exposure to Agent Orange), 90 (Osteoporosis), and 91 (Prostate Cancer Education Program), Health and Safety Code.

(b) Repealers: Subchapters A (Information on Alternative Treatments for Breast Cancer) and C (Information on Alternative Treatments for Lung Cancer), Chapter 86, Health and Safety Code.

(c) Repealers: Sections 86.011 (Breast Cancer Screening) and 86.012 (Advisory Committee), Health and Safety Code.

(d) Repealer: Section 533.005(a-1) (relating to providing that certain requirements for a contract between a managed care organization and the Health and Human Services Commission do not apply, and are prohibited from being enforced, on and after August 31, 2013), Government Code.

SECTION 2. (a) Abolishes the programs and system established under Chapters 38, 46, 83, 86, 90, and 91, Health and Safety Code, as the laws existed immediately before the effective date of this Act, on September 1, 2013.

(b) Provides that any money remaining in the tertiary care account, on September 1, 2013, is transferred to the general revenue fund and abolishes the account.

(c) Provides that the repeal of Chapter 83, Health and Safety Code, by this Act does not affect a cause of action that accrued before the effective date of this Act. Provides that a cause of action that accrued before the effective date of this Act is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

SECTION 3. Provides that on September 1, 2013:

(1) the advisory council established under Section 86.003 (Advisory Council), Health and Safety Code, as the law existed immediately before the effective date of this Act, is abolished;

(2) all property in the custody of the advisory council is transferred to the Department of State Health Services (DSHS); and

(3) all contracts, leases, rights, and obligations of the advisory council are transferred to DSHS.

SECTION 4. Provides that on September 1, 2013:

(1) the advisory committee established under Section 86.012, Health and Safety Code, as the law existed immediately before the effective date of this Act, is abolished;

(2) all property in the custody of the advisory committee is transferred to DSHS; and

(3) all contracts, leases, rights, and obligations of the advisory committee are transferred to DSHS.

SECTION 5. Provides that on September 1, 2013:

(1) the advisory council established under Section 86.103 (Advisory Council), Health and Safety Code, as the law existed immediately before the effective date of this Act, is abolished;

(2) all property in the custody of the advisory council is transferred to DSHS; and

(3) all contracts, leases, rights, and obligations of the advisory council are transferred to DSHS.

SECTION 6. Effective date: September 1, 2013.