

## **BILL ANALYSIS**

Senate Research Center

H.B. 2950  
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Health & Human Services  
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Engrossed

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

The recent Ebola outbreak in Texas exposed a number of flaws in the state's readiness for infectious disease outbreaks. Preparing for future disease outbreaks will require coordination from numerous public and private entities, including hospitals, state health agencies, ambulance services, and other groups. H.B. 2950 establishes a task force to enhance the state's ability to prepare for and respond to infectious disease outbreaks.

H.B. 2950 amends current law relating to the Task Force on Infectious Disease Preparedness and Response.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH) the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

[**Note:** While the statutory reference in this bill is to the commissioner of public health, the following amendments affect the commissioner of state health services, as the successor agency to the commissioner of public health.]

### **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 Chapter 81, Health and Safety Code, as amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, by adding Subchapter J, as follows:

#### **SUBCHAPTER J. TASK FORCE ON INFECTIOUS DISEASE PREPAREDNESS AND RESPONSE**

Sec. 81.401. DEFINITION. Defines "task force" for purposes of this subchapter.

Sec. 81.402. TASK FORCE; DUTIES. (a) Provides that the Task Force on Infectious Disease Preparedness and Response (task force) is created as an advisory board to the Texas Department of Health (TDH).

(b) Requires the task force to:

(1) provide expert, evidence-based assessments, protocols, and recommendations related to state responses to infectious diseases, including Ebola, and a strategic emergency management plan for state and local levels of government;

(2) develop a comprehensive plan to ensure that Texas is prepared for the potential of widespread outbreak of infectious diseases, such as the Ebola virus, and can provide rapid response that effectively protects the safety and well-being of citizens of this state;

(3) evaluate the supplies and resources available to address an infectious disease outbreak; and

(4) serve as a reliable and transparent source of information and education for Texas leadership and citizens.

(c) Requires the task force, in developing the plan described by Subsection (b)(2), to:

(1) use the significant expertise of medical professionals in Texas and other states;

(2) collaborate with local government officials and local health officials;

(3) use, as practicable, the Texas Emergency Preparedness Plan and structure;

(4) identify various responses necessary in the event of an epidemic of infectious disease;

(5) establish a command and control structure that will ensure effective preparations and response if the governor takes emergency action under Chapter 418 (Emergency Management), Government Code, or other law; and

(6) coordinate with appropriate entities to ensure public awareness and education regarding any pandemic threat.

Sec. 81.403. APPOINTMENT OF MEMBERS; TERMS. (a) Authorizes the commissioner of public health (commissioner) to appoint members of the task force as necessary, including members from relevant state agencies, members with expertise in infectious diseases and other issues involved in the prevention of the spread of infectious diseases, and members from institutions of higher education in this state. Requires the commissioner to appoint to the task force:

(1) at least one member who is a representative of a local health authority serving a rural area;

(2) at least one member who is a representative of a local health authority serving an urban area;

(3) at least one member who is a licensed physician;

(4) at least one member who is a licensed nurse;

(5) at least one member who is emergency medical services personnel, as defined by Section 773.003 (Definitions); and

(6) at least one member representing a hospital.

(b) Requires the commissioner to appoint a director of the task force from among the members of the task force.

(c) Authorizes the commissioner to fill any vacancy that occurs on the task force and to appoint additional members as needed.

(d) Provides that members of the task force serve at the pleasure of the commissioner.

(e) Authorizes a state or local employee appointed to the task force to perform any duties required by the task force in addition to the regular duties of the employee.

Sec. 81.404. **REPORTS.** (a) Requires the task force to report to TDH, the governor, the legislature, the Texas Medical Board, and any relevant medical associations as often as necessary to make recommendations for updating protocols for addressing infectious diseases.

(b) Requires the task force to make written reports on its findings and recommendations, including legislative recommendations, to TDH, the governor, and the legislature on December 1 of each even-numbered year.

Sec. 81.405. **MEETINGS.** (a) Requires the task force to meet at times and locations as determined by the director of the task force.

(b) Authorizes the task force to meet telephonically in accordance with Section 551.125(b)(3) (authorizing that a meeting held by telephone conference call be held only if the meeting is held by an advisory board), Government Code.

(c) Authorizes the task force to hold public hearings to gather information. Requires the task force to endeavor to meet in various parts of the state to encourage local input.

(d) Authorizes the task force, notwithstanding Section 551.144 (Closed Meeting; Offense; Penalty), Government Code, or any other law, the task force to hold a closed meeting to discuss matters that are confidential by state or federal law or to ensure public security or law enforcement needs. Requires a closed meeting held as provided by this subsection to be held as otherwise provided by Chapter 551 (Open Meetings), Government Code.

Sec. 81.406. **ADMINISTRATIVE SUPPORT.** Requires state agencies with members on the task force to provide administrative support for the task force.

Sec. 81.407. **REIMBURSEMENT.** Provides that task force members serve without compensation and are not entitled to reimbursement for travel expenses.

Sec. 81.408. **INFECTIOUS DISEASE EMERGENCY PREPAREDNESS FACILITIES AT HEALTH CARE-RELATED INSTITUTIONS.** (a) Authorizes the Health and Human Services Commission (HHSC), if the task force adopts a comprehensive plan under Section 81.402, to enter into contracts or agreements to assist in the establishment of infectious disease emergency preparedness facilities at health care-related institutions in this state, consistent with the comprehensive plan, if the task force finds that the contracts or agreements are necessary to implement the comprehensive plan. Authorizes the contracts or agreements to provide for payment by HHSC to develop and equip infectious disease emergency preparedness facilities, consistent with the comprehensive plan, at health care-related institutions in this state, as well as for materials, equipment, services, or other items HHSC considers necessary to implement this section.

(b) Provides that this section expires September 1, 2017.

**SECTION 2.** Requires the commissioner of state health services, as soon as practicable after the effective date of this Act, to make appointments to the Task Force on Infectious Disease Preparedness and Response required under Subchapter J, Chapter 81, Health and Safety Code, as added by this Act.

**SECTION 3.** Effective date: upon passage or September 1, 2015.