

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2950
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Health & Human Services
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Committee Report (Substituted)

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. C.S.H.B. 2950 would establish a task force to enhance the state's ability to prepare for and respond to infectious disease outbreaks.

The committee substitute replaces the language in the engrossed version with language from the task force section of S.B. 538. It further adds an EMS and nurse to the task force.

C.S.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. PURPOSE AND FINDINGS. Provides that the legislature finds that:

- (1) infectious diseases are responsible for more deaths worldwide than any other single cause;
- (2) the State of Texas has a responsibility to safeguard and protect the health and well-being of its citizens from the spread of infectious diseases;
- (3) on September 30, 2014, the first case of Ebola diagnosed in the United States occurred in Dallas, Texas;

(4) addressing infectious diseases requires the coordination and cooperation of multiple governmental entities at the local, state, and federal levels;

(5) public health and medical preparedness and response guidelines are crucial to protect the safety and welfare of our citizens; and

(6) Texas has nationally recognized infectious disease experts and other highly trained professionals across the state with the experience needed to minimize any potential risk to the people of Texas.

Sec. 81.403. 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 governor of the State of Texas (governor).

(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

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

Sec. 81.404. APPOINTMENT OF MEMBERS; TERMS. (a) Authorizes governor 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 governor 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 nurse; and

(4) at least one member who is emergency medical services personnel, as defined by Section 773.003 (Definitions).

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

(c) Authorizes the governor 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 governor.

(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. 81.405. REPORTS. Requires the task force to make written reports on its findings and recommendations, including legislative recommendations to the governor and the legislature.

Sec. 81.406. 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. 81.407. ADMINISTRATIVE SUPPORT. Requires state agencies with members on the task force to provide administrative support for the task force.

Sec. 81.408. REIMBURSEMENT. Provides that task force members serve without compensation and are not entitled to reimbursement for travel expenses.

SECTION 2. (a) Provides that on the effective date of this Act, a member serving on the Task Force on Infectious Disease Preparedness and Response created by executive order of the governor continues to serve on the Task Force on Infectious Disease Preparedness and Response under Subchapter J, Chapter 81, Health and Safety Code, as added by this Act.

(b) Requires the governor, 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: September 1, 2015.