

## **BILL ANALYSIS**

Senate Research Center  
85R22941 DMS-F

H.B. 3576  
By: Guerra et al. (Schwertner)  
Health & Human Services  
5/16/2017  
Engrossed

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

Interested parties contend that proper surveillance of an emerging high consequence communicable disease like the Zika virus enables local, state, and federal authorities to effectively plan and support clinical interventions. H.B. 3576 seeks to ensure the state can assist in this surveillance and better protect the public's health by providing for the release of certain information to the federal government relating to a person in Texas who has or is suspected of having a potential health condition resulting from exposure to such a disease.

H.B. 3576 amends current law relating to the investigation of, and release of information concerning, communicable disease, including the Zika virus and other high consequence communicable diseases.

### **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. Reenacts Section 81.046(c), Health and Safety Code, as amended by Chapters 789 (H.B. 2646) and 1278 (S.B. 1574), Acts of the 84th Legislature, Regular Session, 2015, and amends it, as follows:

(c) Authorizes medical or epidemiological information, including information linking a person who is exposed to a person with a communicable disease, to be released:

(1) through (3) makes no changes to these subdivisions;

(4) changes a reference to the Centers for Disease Control and Prevention of the United States Public Health Service to the Centers for Disease Control and Prevention. Creates an exception under Subsection (c-3);

(5) and (6) makes nonsubstantive changes;

(7) and (8) redesignates existing Subdivisions (6) and (7) as Subdivisions (7) and (8) and makes no further changes to these subdivisions.

SECTION 2. Amends Section 81.046, Health and Safety Code, by adding Subsection (c-3), to authorize certain medical or epidemiological information relating to a person who has or is suspected of having a present or potential health condition resulting from exposure to a high consequence communicable disease, such as the Zika virus, to be released to an appropriate federal agency.

SECTION 3. Amends Sections 81.061(a) and (c), Health and Safety Code, as follows:

(a) Authorizes the Department of State Health Services (DSHS) to investigate the causes and effects, rather than the causes, of communicable disease and methods of prevention.

(c) Authorizes DSHS to investigate the existence of communicable disease in the state to determine the nature and extent of the disease and potential effects on the health of individuals, rather than to determine the nature and extent of the disease, and to formulate and evaluate the control measures used to protect the public health.

SECTION 4. Provides that, to the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. Effective date: September 1, 2017.