

BILL ANALYSIS

Senate Research Center
85R27374 SCL-D

C.S.S.B. 1695
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Health & Human Services
5/3/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Communicable diseases pose a great public health risk to regions all across the state of Texas. Unfortunately, the Texas border region, near the Texas Gulf, is more susceptible to certain communicable diseases. According to the Texas Department of State Health Services' "Zika Virus Preparedness and Response Plan," large areas of Texas may become impacted by the Zika virus and some areas will be at a higher risk than others (i.e., the Texas/Mexico border region, the Lower Rio Grande Valley, and the Gulf Coast region).

Localized Zika in the border counties of Cameron and Hidalgo have led to a discussion of the capacity of the region to better combat the spread of communicable diseases found in the region.

Concerned stakeholders believe there is an urgent public health purpose for building on the existing authority of Chapter 344, Government Code, and to strengthen the tools available to regions with increased risk of spreading communicable diseases. Interested parties contend that such an endeavor could be accomplished by establishing the framework for urgent public health mosquito control districts.

S.B. 1695 strives to establish the framework of Mosquito Control Districts for Urgent Public Health for the two counties in Texas that have had localized Zika (i.e., the border and gulf counties of Cameron and Hidalgo). S.B. 1695 allows affected counties to better conduct surveillance of vectors carrying communicable diseases, improve the capacity of their county public health infrastructure, and strengthen the prevention initiatives of vectors carrying communicable diseases. The district would allow for the prevention and combat of spread vectors carrying communicable diseases by funding efforts to inform people through community campaigns and regional information efforts.

S.B. 1695 provides for the creation of a special public health advisory committee to make recommendations to the commissioners court to address the urgent and public health purpose of the mosquito control district, implement the district's duties, and perform other duties assigned by the commissioners court.

In so doing, the interested parties believe that the mosquito control districts would improve and enable public health officials to become better informed and have greater control over the public health in their area.

The committee substitute for S.B. 1695 makes a few changes. After speaking with interested parties, changes regarding the composition of the health advisory committee were made. In Section 344.056 the committee substitute changes the commissioner's appointed member to serve as an ex officio nonvoting member of the committee. Additionally, in order to address the even number of voting members, the substitute increases the number of property tax-paying voting members and the public health administrators from two to three, to make the advisory committee a seven-member committee.

C.S.S.B. 1695 amends current law relating to mosquito control districts established for an urgent public health purpose.

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 344, Health and Safety Code, by designating Sections 344.001 through 344.007 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. ESTABLISHMENT, OPERATION, AND DISSOLUTION OF MOSQUITO CONTROL DISTRICTS

SECTION 2. Amends Chapter 344, Health and Safety Code, by adding Subchapter B, as follows:

SUBCHAPTER B. ESTABLISHMENT OF MOSQUITO CONTROL DISTRICTS FOR URGENT PUBLIC HEALTH PURPOSE

Sec. 344.051. DEFINITION. Defines "department" as the Department of State Health Service (DSHS).

Sec. 344.052. LEGISLATIVE FINDINGS. Provides that the legislature finds that:

- (1) scientists have concluded the Zika virus is a cause for microcephaly and other severe fetal brain defects;
- (2) DSHS has reported that counties in the Gulf Coast region and on the international border with Mexico are at the highest risk in this state of developing localized cases of the Zika virus;
- (3) Cameron County, which is located on the international border with Mexico, has had as of December 2016 at least five documented cases of locally transmitted Zika virus;
- (4) the powers of a mosquito control district may be effective in combating the increased risk of transmission of the Zika virus; and
- (5) there is an urgent public health purpose for establishing a mosquito control district in Cameron and Hidalgo Counties and other high-risk counties to contain, eradicate, and treat problems associated with communicable diseases, including the Zika virus, the dengue virus, and the chikungunya virus, that are carried by mosquitos.

Sec. 344.053. APPLICABILITY OF SUBCHAPTER. Provides that this subchapter applies only to a county located on the international border with Mexico for which DSHS has documented a locally transmitted case of the Zika virus or that is adjacent to a county described by Subdivision (1).

Sec. 344.054. ESTABLISHMENT. Authorizes a county described by Section 344.053 to establish an urgent public health mosquito control district on issuance of an order by the county judge or commissioners court of the county stating that an urgent public health purpose requires establishment of the district and ordering an election under Section 344.001 (Election on Establishment and Tax Levy).

Sec. 344.055. DUTIES OF COUNTY ESTABLISHING DISTRICT. Requires a county that establishes an urgent public health mosquito control district under this subchapter to:

- (1) conduct surveillance of vectors carrying communicable disease;
- (2) address the capacity of the county public health infrastructure, including by:

(A) establishing and operating communicable disease and illness identification laboratories;

(B) training and hiring public health personnel and research fellows;

(C) matching state, federal, and private initiatives and efforts aimed at addressing and mitigating health and environmental conditions that contribute to the breeding, development, and spread of vectors carrying communicable disease;

(D) testing county residents for communicable diseases and providing medical treatment to county residents who have communicable diseases; and

(E) funding prevention measures and initiatives to protect county residents from vectors carrying communicable disease; and

(3) address the prevention and spread of vectors carrying communicable disease by funding efforts to inform people about the prevention and spread through community campaigns and regional information efforts.

Sec. 344.056. SPECIAL PUBLIC HEALTH ADVISORY COMMITTEE. (a) Defines "committee."

(b) Requires the commissioners court of a county that establishes an urgent public health mosquito control district under this subchapter, notwithstanding Section 344.004 (Advisory Commission), to establish a special public health advisory committee.

(c) Requires the commissioners court to appoint seven members to the committee. Sets forth the members appointed by the commissioners court.

(d) Requires the commissioner of state health services (commissioner) to appoint one delegate to serve as a nonvoting, ex officio member of the committee.

(e) Requires the county judge to designate one committee member appointed under Subsection (c) as the presiding officer of the committee. Provides that the committee meets at the call of the presiding officer.

(f) Provides that a committee member serves without compensation.

(g) Requires a committee member to take an oath of office prescribed by the commissioners court.

(h) Sets forth the required duties of the committee.

Sec. 344.057. MOSQUITO CONTROL PERSONNEL. Authorizes the commissioners court of a county that establishes an urgent public health mosquito control district under this subchapter to appoint:

(1) a mosquito control engineer as provided by Section 344.005 (Mosquito Control Engineer); or

(2) any other public health professional the commissioners court determines is necessary to carry out the duties of the district and to address the recommendations of the special public health advisory committee established under Section 344.056.

SECTION 3. Effective date: upon passage or September 1, 2017.

