

BILL ANALYSIS

Senate Research Center
86R5312 EAS-D

H.B. 1112
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Health & Human Services
5/13/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised regarding delays in the removal of outdoor signage of freestanding emergency medical care facilities that are not in operation. H.B. 1112 seeks to address these concerns by requiring such a facility to remove signs from the public view immediately after the facility closes or loses its license.

In the event a hospital closes, there are extensive regulations under current law to ensure that the community is aware of its closure. However, no similar regulations exist for freestanding emergency rooms. H.B. 1112 offers a practical and proactive solution to this issue to ensure that no one in need of emergency medical care is unnecessarily delayed in getting the care they need by requiring a freestanding emergency room to immediately remove its signs from public view in the event of a closure. The bill also allows the Department of State Health Services to seek an injunction through a district court against a facility that fails to remove its signage after it closes.

H.B. 1112 amends current law relating to the removal of signs indicating that a freestanding emergency medical care facility is operational.

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 Subchapter D, Chapter 254, Health and Safety Code, by adding Section 254.156, as follows:

Sec. 254.156. REMOVAL OF SIGNS. Requires a freestanding emergency medical care facility that closes or for which a license issued under this chapter (Freestanding Emergency Medical Care Facilities) expires or is suspended or revoked to immediately remove or cause to be removed any signs within view of the general public indicating that the facility is in operation.

SECTION 2. Amends Sections 254.203(a) and (b), Health and Safety Code, as follows:

(a) Authorizes the Department of State Health Services (DSHS) to petition a district court for a temporary restraining order to restrain a continuing violation of the standards or licensing requirements provided under this chapter or of Section 254.156 if DSHS finds that the violation creates an immediate threat to the health and safety of the patients of a facility or of the public, rather than under this chapter if DSHS finds that the violation creates a immediate threat to the health and safety of the patients of a facility.

(b) Authorizes a district court, on petition of DSHS and on a finding by the court that a person is violating the standards or licensing requirements provided under this chapter or is violating Section 254.156, to by injunction:

(1) prohibit a person from continuing the violation, rather than continuing a violation of the standards or licensing requirements provided under this chapter;
or

(2)–(3) makes no changes to these subdivisions

SECTION 3. Effective date: September 1, 2019.