

## **BILL ANALYSIS**

Senate Research Center  
86R26015 SRA-D

C.S.S.B. 1121  
By: Lucio  
Health & Human Services  
4/16/2019  
Committee Report (Substituted)

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

Every day thousands of people cross the Texas-Mexico border. This high rate of border transmigration presents serious public health challenges to the health departments working along the border, especially because the Texas counties in the international boundary line with Mexico are economically distressed (having a low tax base and high poverty and unemployment rates). Unfortunately, there is a corresponding lack of existing public laboratory capabilities in the border areas to test for immediate reportable public health and environmental conditions.

As public health officials have reported to state officials, in order to be effective in the prevention and coordination of public health threats and emergencies, it is necessary that laboratory capabilities exist in the border areas to test, diagnose, and treat diseases in a short time frame. When public health fails to do this, the risk of a patient not returning for laboratory results and treatment increases and poses substantial risks of high consequence disease exposures to the general public. The risk for exposure increases even more due to the lack of access to health care along the Texas-Mexico border.

Currently, the existing lab capabilities for public health departments along the Texas-Mexico border area require that the specimens be packaged and transported for overnight delivery to a state lab several hundred miles away, potentially compromising the specimen. Unfortunately, existing local public laboratories are also not able to complete all of the testing levels for one single specimen, thus requiring the specimen to still be sent to the state laboratory in Austin to ensure a complete specimen test. Unfortunately, the Department of State Health Services (DSHS) laboratory for this type of testing is only open during the summer months of the year, hence during the months that it is closed border health departments find themselves in a bind trying to address the public health needs of their region, where it is summer all year long.

In order to address these challenges, S.B. 1121 directs DSHS to conduct an assessment of capacity and resources of laboratories along the border, establish inter-local agreements for laboratory resources in border counties, and allow for year-round testing for certain border counties that need this service. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1121 amends current law relating to public health laboratory capabilities in certain counties.

### **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 12, Health and Safety Code, by adding Subchapter K, as follows:

#### **SUBCHAPTER K. PUBLIC HEALTH LABORATORY CAPABILITIES IN CERTAIN COUNTIES**

Sec. 12.151. PUBLIC HEALTH LABORATORY REPORT. (a) Requires the Department of State Health Services (DSHS), not later than September 1, 2020, to

prepare and submit a written or electronic report to the legislature on public laboratories in this state's counties that are adjacent to an international border. Requires the report to contain certain information and recommendations.

(b) Requires DSHS to collaborate with local health departments established under Subchapter D (Local Health Departments), Chapter 121, and public and private testing laboratories to collect information and develop recommendations for the report described by Subsection (a).

(c) Provides that this section expires September 1, 2021.

Sec. 12.152. LOCAL AGREEMENTS. Requires DSHS, using available resources and as determined appropriate by DSHS, to enter into agreements with institutions of higher education as defined by Section 61.003 (Definitions), Education Code, and public and private testing laboratories in this state to increase the availability of public health laboratory services for local health departments established under Subchapter D, Chapter 121, in counties adjacent to an international border. Requires the agreements to establish protocols to meet certain specifications.

Sec. 12.153. YEAR-ROUND ACCESS TO LABORATORY TESTING FOR VECTOR-BORNE INFECTIOUS DISEASES. Requires DSHS, using available resources and as determined appropriate by DSHS, to support access to year-round laboratory testing for vector-borne infectious diseases to record and address local outbreaks of vector-borne infectious diseases in certain specified counties of this state that are most at risk for the year-round outbreaks. Authorizes DSHS to make the access directly available or through a local agreement entered into under Section 12.152. Authorizes the testing to include certain tests.

SECTION 2. Requires DSHS to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Authorizes DSHS, but does not require DSHS, if the legislature does not appropriate money specifically for that purpose, to implement a provision of this Act using other appropriations available for that purpose.

SECTION 3. Effective date: September 1, 2019.