

## **BILL ANALYSIS**

Senate Research Center  
86R4545 MM-D

S.B. 1736  
By: Menéndez  
Higher Education  
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As Filed

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

During the 85th Legislative Session, legislation was passed to allow Texas public higher education institutions to adopt epinephrine auto-injector administration policies. Institutions that implement these policies would be required to have training for personnel and volunteers to learn the correct administration of epinephrine auto-injectors. While the Department of State Health Services (DSHS) has not adopted the rules that higher education institutions must adhere to, certain institutions have proactively been laying the groundwork to adopt policies as soon as the rules are adopted. Certain institutions also have existing policies on epinephrine auto-injectors, but are not sure whether their policies will align with the adopted rules. Currently, interested parties contend that information regarding auto-injector policies as they relate specifically to higher education institutions is difficult to access and that streamlining access to this information could lead to more policies being adopted.

S.B. 1763 would require DSHS to maintain copies of institutions' respective epinephrine auto-injector policies and any amendments to those policies, so that higher education institutions and the general public have a single location to refer to if they are seeking information on these policies. S.B. 1763 also requires institutions of higher education to post their policies on their website and student handbook so students are aware of the resources that may be available to them.

As proposed, S.B. 1736 amends current law relating to certain duties of public institutions of higher education and the Department of State Health Services regarding policies on the use of epinephrine auto-injectors by public institutions of higher education.

### **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 Section 51.882, Education Code, by amending Subsection (d) and adding Subsection (f), as follows:

(d) Provides that each institution of higher education that adopts a policy under Subsection (a) (relating to policies regarding the maintenance, storage, administration, and disposal of epinephrine auto-injectors):

(1) creates this subdivision from existing text and makes a nonsubstantive change;  
and

(2) is required to include the policy in the institution's student handbook or similar publication and publish the policy on the institution's Internet website.

(f) Requires an institution of higher education that adopts a policy under Subsection (a) to submit to the Department of State Health Services (DSHS) a copy of the policy and any amendment to the policy adopted by the institution. Requires DSHS to maintain a record

of the most recent policy and amendments submitted by each institution under this subsection and to make that information available to the public on request.

SECTION 2. Effective date: September 1, 2019.