

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 2150
By: Kolkhorst
Health & Human Services
3/28/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Congress passed the Preventing Maternal Deaths Act in 2018, which made grants available to the states for the purpose of reviewing pregnancy-related and pregnancy-associated deaths in maternal mortality review committees. The Department of State Health Services (DSHS) has identified areas in which federal and state laws are not aligned to allow Texas to easily apply for these funds.

S.B. 2150 seeks to bring state law in alignment with federal law to allow Texas to apply for grant funding by adding a definition of "pregnancy-associated death," changing the name of the Maternal Mortality and Morbidity Task Force to the Maternal Mortality and Morbidity Review Committee, and allowing health care professionals and family members to report certain data to DSHS. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2150 amends current law relating to the reporting of certain information on maternal mortality to the Department of State Health Services and the confidentiality of that information.

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 34.001, Health and Safety Code, by adding Subdivisions (11-a) and (12-a) and amending Subdivisions (12) and (14), as follows:

(11-a) Defines "pregnancy-associated death."

(12) Redefines "pregnancy-related death" as the death of a woman while pregnant or within one year of delivery or end of pregnancy, regardless of the outcome, duration, or location of the pregnancy, rather than regardless of the duration and site of the pregnancy, from any cause related to or aggravated by the pregnancy or its management, but not from accidental or incidental causes.

(12-a) Defines "review committee" as the Maternal Mortality and Morbidity Review Committee (review committee).

(14) Redefines "task force" as the review committee, rather than the Maternal Mortality and Morbidity Task Force.

SECTION 2. Amends the heading to Section 34.002, Health and Safety Code, to read as follows:

Sec. 34.002. MATERNAL MORTALITY AND MORBIDITY REVIEW COMMITTEE;
REFERENCE IN LAW.

SECTION 3. Amends Section 34.002, Health and Safety Code, by amending Subsections (a) and (e) and adding Subsection (a-1), as follows:

(a) Provides that the review committee, rather than the Maternal Mortality and Morbidity Task Force, is administered by the Department of State Health Services (DSHS).

(a-1) Provides that, notwithstanding any other law, a reference in this chapter or other law to the Maternal Mortality and Morbidity Task Force means the Maternal Mortality and Morbidity Review Committee.

(e) Provides that a member of the task force appointed under Subsection (b)(1) (relating to the 15 members of the task force appointed by the commissioner of state health services) is not entitled to compensation for service on the task force but, subject to Section 34.014(b), is authorized to be reimbursed for travel or other expenses incurred by the member while conducting the business of the task force, rather than is not entitled to compensation for service on the task force or reimbursement for travel or other expenses incurred by the member while conducting the business of the task force.

SECTION 4. Amends Section 34.009(a), Health and Safety Code, to establish that certain information, including information pertaining to a pregnancy-associated death, is confidential for purposes of this chapter (Maternal Mortality and Morbidity Task Force) and to make nonsubstantive changes.

SECTION 5. Amends Section 34.014, Health and Safety Code, as follows:

Sec. 34.014. FUNDING. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Authorizes DSHS to use only gifts, grants, or federal funds to reimburse travel or other expenses incurred by a member of the task force in accordance with Section 34.002(e).

SECTION 6. Amends Section 34.008, Health and Safety Code, by adding Subsection (e), as follows:

(e) Provides that, for purposes of this chapter, a licensed health care provider, including a nurse, who is involved in obtaining information relevant to a case of pregnancy-associated death, pregnancy-related death, or severe maternal morbidity under this chapter and who is required under other law to report a violation related to the provider's profession is exempt from the requirement to report the violation for information obtained under this chapter.

SECTION 7. Amends Section 34.017, Health and Safety Code, by adding Subsections (c), (d), and (e), as follows:

(c) Authorizes DSHS to allow voluntary and confidential reporting to DSHS of pregnancy-associated deaths and pregnancy-related deaths by health care professionals, health care facilities, and persons who complete the medical certification for a death certificate for deaths reviewed or analyzed by the review committee.

(d) Requires DSHS to allow voluntary and confidential reporting to DSHS of pregnancy-associated deaths and pregnancy-related deaths by family members of or other appropriate individuals associated with a deceased patient. Requires DSHS to:

(1) post on DSHS's Internet website the contact information of the person to whom a report is authorized to be submitted under this subsection; and

(2) conduct outreach to local health organizations on the availability of the review committee to review and analyze the deaths.

(e) Establishes that information reported to DSHS under this section (Department Access to Information) is confidential in accordance with Section 34.009 (Confidentiality; Privilege).

SECTION 8. Effective date: September 1, 2019.