

BILL ANALYSIS

Senate Research Center
86R8247 JG-D

S.B. 559
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Maternal Mortality and Morbidity Task Force (task force) and Department of State Health Services (DSHS) file a joint Biennial Report as required by Section 34.015, Chapter 34, Health and Safety Code. The findings are based on pregnancy related deaths that are investigated by the task force and DSHS to determine if these deaths are directly connected to giving birth.

DSHS and the task force are required to go through case records in order to determine their findings. These case records are crucial for the task force to review, and during their research process, DSHS receives delayed responses to their record requests. The task force and DSHS concluded that the delays in receiving case information actually slowed down their ability to review cases. 2012 records were received anywhere from three days to up to 537 days after they were requested. There is no law requiring that these providers send records in a timely manner.

S.B. 559 directs a hospital, birthing center, or other party to submit all records in relation to a maternal death to DSHS within 30 business days of a request to improve response time.

As proposed, S.B. 559 amends current law relating to patient medical records regarding maternal death.

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 J, Chapter 1001, Health and Safety Code, by adding Section 1001.242, as follows:

Sec. 1001.242. REQUEST FOR MEDICAL RECORDS RELATED TO MATERNAL DEATH. (a) Requires a hospital, birthing center, or other custodian of a patient's medical records, not later than the 30th business day after receiving a request from the Department of State Health Services (DSHS), to submit to DSHS the medical records of a patient who was pregnant at the time of death or was pregnant at any time in the year preceding the patient's death.

(b) Provides that any personally identifying information in a patient's medical records acquired by DSHS under this section is confidential and is not subject to disclosure under Chapter 552 (Public Information), Government Code.

SECTION 2. Effective date: September 1, 2019.