

BILL ANALYSIS

Senate Research Center
86R16703 JG-D

C.S.S.B. 559
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Health & Human Services
3/13/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Maternal Mortality and Morbidity Task Force (task force) and the 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 received 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 3 days to up to 537 days after they were requested. There is no law requiring that these providers send records in a timely manner.

The committee substitute to S.B. 559 amends Chapter 34 of the Health and Safety Code to require hospitals, birthing centers, or other parties to release all medical records in relation to maternal deaths to the DSHS no later than 30 days from day requested. S.B. 559 also keeps all identifying information of the patient confidential and allows records to be requested from other entities, such as Child Protective Services case records.

C.S.S.B. 559 amends current law relating to patient 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 Section 34.008, Health and Safety Code, by adding Subsection (c-1), as follows:

(c-1) Requires a hospital, birthing center, or other custodian of records regarding a pregnancy-related death for a specific patient, not later than the 30th business day after receiving a request from the Department of State Health Services (DSHS) for the records, to submit the records to DSHS. Requires a request made under this subsection to a hospital or birthing center to be limited to a patient's medical records.

SECTION 2. Effective date: September 1, 2019.