

BILL ANALYSIS

Senate Research Center
87R19345 MM-D

C.S.S.B. 1780
By: Creighton
Higher Education
4/14/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Epidemic Public Health Institute (TEPHI), led by the UTHealth School of Public Health in partnership with state and local public health agencies, healthcare organizations, and university partners throughout the state, will plan and develop a public health reserve force that will better prepare Texas and Texans for the next pandemic. This force, based on the national guard model, would give the state the flexibility to respond quickly to an epidemic or pandemic outbreak and support experts at the Texas Department of State Health Services (DSHS), Texas Division of Emergency Management (TDEM), and city and county public health authorities. This reserve force would include needed public health workforce ranging from epidemiologists to contact tracers and case investigators, but not on a full time basis. This budget-friendly workforce would train regularly, but have other jobs during non-emergency times. In addition to training a public health reserve, TEPHI proposes to:

- provide timely, accurate and actionable data analysis to decision makers and the public, manage the safe, secure monitoring of data through an updated infrastructure, including the epidemic modeling and forecast hub to develop modeling strategies and the data visualization hub to create a dashboard for routine monitoring of emerging and existing epidemics;

- assist with rapid assessment of potential outbreaks;

- advise on supply chain evaluation, and business and food chain preparedness;

- create a network of approved testing laboratories and establish best practices for vetting supplies and build a statewide stockpile of critical laboratory supplies for future pandemics;

- help with preparedness for small and rural healthcare systems and provide a commitment to serve vulnerable and underserved populations;

- build on partnerships with DSHS, TDEM, and other key stakeholders to complement TDEM's coordination and disaster management capabilities by partnering in the domain of pandemic preparedness and response;

- research the lingering impacts of Long COVID for treatments and novel ideas to prevent chronic conditions from such viruses; and

- create a dedicated communications department that provides timely, science-based information and messaging about the pandemic for the interested public, state and local governments, and health care practitioners.

The committee substitute for S.B. 1780 adds language to address concerns about financial costs of administering TEPHI.

The new section would direct the institute to commission an independent financial audit for review each biennium by the Comptroller's office.

The committee substitute also adds the fiscal responsibility amendment.

C.S.S.B. 1780 amends current law relating to the protection of public health in this state, including through the establishment of the Texas Epidemic Public Health Institute at The University of Texas Health Science Center at Houston.

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 61.003(6), Education Code, to redefine "other agency of higher education" for purposes of Chapter 61 (Texas Higher Education Coordinating Board) to include the Texas Epidemic Public Health Institute at The University of Texas Health Science Center at Houston.

SECTION 2. Amends Chapter 75, Education Code, by adding Subchapter D, as follows:

SUBCHAPTER D. TEXAS EPIDEMIC PUBLIC HEALTH INSTITUTE

Sec. 75.301. DEFINITIONS. Defines for this subchapter "board," "health science center," and "institute."

Sec. 75.302. ESTABLISHMENT. Requires that the board of regents of The University of Texas System (board) establish and maintain the Texas Epidemic Public Health Institute (institute) at the health science center.

Sec. 75.303. ROLE AND SCOPE. Requires the institute to establish and maintain a public health reserve network of public health professionals, community health workers, state and local public health agencies, health care organizations, universities throughout the state, and other relevant entities and persons for the purpose of coordinating efforts to:

- (1) protect public health in this state; and
- (2) support pandemic and epidemic disaster preparedness and resource components of the state emergency management plan required by Section 418.042 (State Emergency Management Plan), Government Code.

Sec. 75.304. ADMINISTRATION. (a) Provides that the administration of the institute is under the direction of the chancellor of The University of Texas System and the board through the president of the health science center.

- (b) Requires that the Department of State Health Services provide the institute with access to relevant and timely data necessary for the institute to perform its duties.

Sec. 75.305. GIFTS, GRANTS, AND DONATIONS. Authorizes the institute to accept gifts, grants, and donations from any source for the purposes of the institute.

Sec. 75.306. INDEPENDENT FINANCIAL AUDIT FOR REVIEW BY COMPTROLLER. (a) Requires the institute biennially to commission an independent financial audit of its activities from a certified public accounting firm. Requires the institute to provide the audit to the Comptroller of Public Accounts of the State of Texas (comptroller).

- (b) Requires the comptroller to review and evaluate the audit and biennially issue a public report of that review.

Sec. 75.307. APPROPRIATION CONTINGENCY. Provides that the board is required to implement a provision of this subchapter only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, the board, if the legislature

does not appropriate money specifically for that purpose, to implement the provision using other money available to the board for that purpose.

SECTION 3. Amends Section 418.042(a), Government Code, as follows:

(a) Requires the Texas Division of Emergency Management to prepare and keep current a comprehensive state emergency management plan. Authorizes the plan to include certain provisions, including, among others, provisions for protecting public health. Makes conforming changes.

SECTION 4. Effective date: September 1, 2021.