

## **BILL ANALYSIS**

Senate Research Center  
87R19576 SCL-D

C.S.S.B. 437  
By: Blanco  
Health & Human Services  
4/19/2021  
Committee Report (Substituted)

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

When COVID-19 cases spiked in March of 2020, the high demand and delayed imports of personal protective equipment (PPE) caused a shortage of PPE in Texas. Respirator masks, gloves, gowns, and other equipment were scarce and expensive, creating unsafe working conditions for essential personnel at hospitals and particularly nursing homes. In his 2022-2023 budget, Governor Abbott recommended the legislature address the critical storage need to ensure the future availability of PPE.

S.B. 437 requires the Texas Division of Emergency Management to establish the Personal Protective Equipment Reserve Advisory Committee composed of various health care and essential personnel representatives.

C.S.S.B. 437 amends current law relating to a personal protective equipment reserve advisory committee established by the Texas Division of Emergency Management.

### **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 A, Chapter 81, Health and Safety Code, by adding Section 81.016, as follows:

Sec. 81.016. PERSONAL PROTECTIVE EQUIPMENT RESERVE ADVISORY COMMITTEE. (a) Defines "division."

(b) Requires the Texas Division of Emergency Management (TDEM) to establish the Personal Protective Equipment Reserve Advisory Committee (advisory committee), and sets forth the composition of the advisory committee to be appointed by TDEM.

(c) Requires the advisory committee to make recommendations to TDEM as necessary on the procurements needed for a statewide personal protective equipment reserve, the storage of the equipment in the reserve, and the distribution of the equipment to health care workers and essential personnel.

(d) Provides that this section expires and the advisory committee is abolished September 1, 2023.

SECTION 2. Requires TDEM, as soon as practicable after the effective date of this Act, to appoint members to the advisory committee established under Section 81.016, Health and Safety Code, as added by this Act.

SECTION 3. Provides that TDEM is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose or if federal money is provided to the state and by law made available to TDEM for the purposes of this Act. Provides that if the

legislature does not appropriate money specifically for that purpose and federal money is not available for that purpose, TDEM is authorized, but is not required, to implement a provision of this Act using other appropriations that are available for that purpose.

SECTION 4. Effective date: upon passage or September 1, 2021.