

SUBJECT: Hospital district contracts with TDH for preventive health care

COMMITTEE: County Affairs — favorable, without amendment

VOTE: 6 ayes — R. Lewis, Chisum, Hamric, G. Lewis., Muñoz, Wohlgemuth
0 nays
3 absent — Gutierrez, Kamel, Longoria

WITNESSES: For — None
Against — None
On — Sarah Denton, Texas Department of Health

DIGEST: HB 1207 would amend Health and Safety Code Chapter 285 to allow a hospital district to contract with the Texas Department of Health (TDH) for preventive health care services to eligible residents of the hospital district. This bill would take immediate affect if approved by two-thirds of the membership of each house.

SUPPORTERS SAY: Hospital districts that encompass one or more counties are better able to provide preventive health services to the indigent than local health departments alone. Furthermore, a hospital district cooperating with a local health department can save the state thousands of dollars a year by avoiding a duplication of services. However, the authority of districts to contract with TDH for these services is not clear. HB 1207 would unambiguously authorize such cooperative arrangements.

Hospital districts created under Art. 9, secs. 4 and 9, of the Texas Constitution are generally believed to have an implied authority to contract for the provision of preventive health services for indigent residents, and many do. A 1973 state attorney opinion (H-31) affirmed the authority of districts to perform the nonregulatory duties of a local health department (i.e. operation and maintenance of a venereal disease clinic, vaccinations for communicable diseases, etc.) HB 1207 would specify in law that hospital districts may contract to offer preventive health care services.

OPPONENTS SAY: No apparent opposition