

BILL ANALYSIS

Senate Research Center

S.B. 752
By: Moncrief
Health & Human Services
4-1-97
Committee Report (Amended)

DIGEST

Currently, Texas law prohibits the unauthorized disclosure of a patient's health care information except to certain persons and entities. Organ procurement organizations match available organs with individuals in need of transplants. The nature of organ procurement means that the match process must take place very quickly if the transplant is to be successful. Allowing information about the donor to be released to the procurement organization will facilitate the match process by ensuring timely access to information, which may be critical to matching the donor with a recipient. This bill will add organ and tissue procurement organizations to the list of entities to whom health care information can be disclosed without patient authorization.

PURPOSE

As proposed, S.B. 752 adds organ and tissue procurement organizations to the list of entities to whom health care information can be disclosed without patient authorization.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 241.153, Health and Safety Code, to authorize disclosure of a patient's health care information without the patient's authorization if the disclosure is to a qualified organ or tissue procurement organization as defined in Section 692.002(8) or eye bank as defined in Section 692.002(4) based on notification by a hospital, to the extent authorized and/or required by state and federal law.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

AMENDMENT 1.

Page 2, lines 21 and 22, amend Section 241.153(11), Health and Safety Code, to add following Section 692.002(8) the phrase "or eye bank as defined in Section 692.002(4)."

AMENDMENT 2.

Page 2, Line 22, amend Section 241.153(11), Health and Safety Code, between "(8)" and "." to add "based on notification by a hospital, to the extent authorized and/or required by state and federal law."