

BILL ANALYSIS

Senate Research Center
76R2842 KLA-D

S.B. 632
By: Madla
Health Services
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As Filed

DIGEST

Currently, there are infrastructure and other problems at the Texas Center for Infectious Disease (TCID) facility which jeopardize the accreditation required by the Joint Commission on Accreditation of Healthcare Organizations; this accreditation is necessary for hospitals to continue collecting payments from Medicaid, Medicare, and private insurance, which help fund a hospital's operations. There are 13,000 individuals in Texas with tuberculosis. The most dangerous strain of tuberculosis is Multi-Drug Resistant TB (MDRTB), which is resistant to drug therapy and can result in medical costs of up to \$250,000 per patient. One individual who carries tuberculosis or MDRTB can infect as many as 20 other individuals in one year. S.B. 632 would require the Texas Board of Health to contract for the renovation of TCID and to contract with University of Texas System board of regents for the coordination of medical management of tuberculosis throughout the state by University of Texas Health Science Center at Tyler.

PURPOSE

As proposed, S.B. 632 sets forth requirements for a long-range plan for the Texas Center for Infectious Disease and for the management of tuberculosis and other health care and laboratory services.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the secretary of state in SECTION 3(g) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. RENOVATION OF PHYSICAL FACILITIES OF TEXAS CENTER FOR INFECTIOUS DISEASE. Requires the Texas Board of Health (TBH) to contract for the renovation of the Texas Center for Infectious Disease (TCID). Sets forth the contract specifications.

SECTION 2. TUBERCULOSIS AND OTHER HEALTH CARE SERVICES. Requires TBH to contract with The University of Texas System board of regents (board) to provide all tuberculosis and other health care services that are provided at TCID on the effective date of this Act.

SECTION 3. TUBERCULOSIS RESEARCH LABORATORY. (a) Requires the board to contract for the construction of physical facilities for a tuberculosis research laboratory located at The University of Texas Health Science Center at San Antonio to replace the laboratory at the TCID using funds appropriated to The University of Texas System.

(b) Requires the contract to specify that the physical facilities being constructed will provide all tuberculosis laboratory services provided on the effective date of this Act, by the tuberculosis research laboratory located at the TCID.

(c) Requires the board to manage and operate the tuberculosis research laboratory at The University of Texas Health Science Center at San Antonio.

(d) Requires TBH and the board to adopt a joint memorandum of understanding to facilitate and coordinate the transfer of the tuberculosis research laboratory service from the TCID to The University of Texas Health Science Center at San Antonio. Requires the memorandum to coordinate the transfer of tuberculosis research laboratory employees from Texas Department of Health (TDH) to The University of Texas System if any employees are to be transferred, as determined by The University of Texas System.

(e) Requires TBH and the board to adopt the memorandum of understanding.

(f) Sets forth the events which will occur on a date provided for by the memorandum of understanding between TBH and the board.

(g) Provides that after a transfer occurs, a rule, policy, procedure, decision, or form adopted by TDH relating to the management or operation of the tuberculosis research laboratory at the TCID is a rule, policy, decision, or form of the board for the management or operation of the tuberculosis research laboratory at The University of Texas Health Science Center at San Antonio, and remains in effect until altered by the board. Authorizes the secretary of state to adopt rules.

SECTION 4. STATEWIDE COORDINATION OF MEDICAL MANAGEMENT OF TUBERCULOSIS. Authorizes the TBH to contract with the board for the coordination of medical management of tuberculosis throughout this state by The University of Texas Health Science Center at Tyler. Sets forth what is authorized to be included in the contract.

SECTION 5. AGREEMENT FOR TRANSPORTATION OF COMMUNICABLE DISEASE PATIENTS. (a) Authorizes TDH, in cooperation with the office of the governor, to collaborate with the United States Immigration and Naturalization Service to develop a formal agreement regarding transportation of communicable disease patients through Immigration and Naturalization Service checkpoints to TCID.

(b) Requires the TDH to report the status of negotiations and provide a summary of the department's activities relating to the agreement required by this section to the 77th Texas Legislature.

SECTION 6. DISPLACED EMPLOYEES OF TEXAS CENTER FOR INFECTIOUS DISEASE. Requires TDH, to the extent possible out of available funds, to reassign a TDH employee who is employed at TCID to an open position with TDH for which the TDH employee is qualified. Sets forth the conditions of a TDH employee's displacement.

SECTION 7. SCHEDULE. Requires TBH to enter into the contracts required by this Act not later than January 1, 2000. Requires The University of Texas System to enter into the contract required by SECTION 3 of this Act not later than January 1, 2000. Requires TBH and The University of Texas System to adopt the joint memorandum of understanding required by SECTION 4 of this Act not later than January 1, 2000.

SECTION 8. AMENDMENT. Amends Chapter 814B, Government Code, by adding Section 814.1042 as follows:

Sec. 814.1042. **TEMPORARY SERVICE RETIREMENT OPTION FOR MEMBERS AFFECTED BY CONTRACTS ENTERED INTO BY TEXAS DEPARTMENT OF HEALTH.** Provides that this section applies only to employees whose positions with the Texas Department of Health at the Texas Center for Infectious Disease are eliminated and who separate from state service as the result of a contract with the board of regents of The University of Texas System entered into on or after the effective date of this section and on or before January 1, 2000 or the transfer of the tuberculosis research laboratory to The University of Texas Health Science Center at San Antonio. Provides that a member described by Subsection (a) is eligible to retire and receive a service retirement annuity if the member's age and service credit, each increased by three years, would meet age and service requirements for service retirement under Section 814.104(a) at the time the member separates from state service as described by Subsection (a). Provides that the annuity of a person who retires under this subsection is computed on the person's accrued service credit increased by three years. Provides that a member described by Subsection (a) becomes eligible to retire and receive a service retirement annuity on the date on which the member would have met the age and service requirements for service retirement under Section 814.104(a) had the member remained employed by the state if, on the date of separation from state service, the member's age and service credit each increased by five years would meet age and service requirements for service retirement under Section 814.104(a). Provides that the annuity of a person who retires under this subsection is computed on the person's accrued service credit. Authorizes the time between the member's separation from state service and reemployment to be used only to compute eligibility for service retirement and prohibits the time from being used to

compute the amount of any service retirement annuity if a member described in Subsection (c) is reemployed by the state before retirement. Requires a member who applies to retire under this section and the Texas Department of Health to provide documentation required by the retirement system to establish eligibility to retire under this section. Provides that this section applies only to positions eliminated on or after the effective date of this section.

SECTION 9. Emergency clause.
Effective date: upon passage.