

## **BILL ANALYSIS**

Senate Research Center  
77R11601 JRD-F

C.S.S.B. 1006  
By: Van de Putte  
Health & Human Services  
4/2/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, licensed hospitals are required to test patients for hepatitis B or C following accidental exposure of a health care worker to a patient's blood or other body fluids. However, emergency medical services personnel and other persons who render assistance and are exposed to the patient's body fluids are not included under this testing requirement. C.S.S.B. 1006 requires the hospital receiving the patient to test for hepatitis B and C upon notification of accidental exposure to a patient's blood or other body fluid.

### **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 81.095, Health and Safety Code, to require a licensed hospital, in a case of accidental exposure of certified emergency medical services personnel, a firefighter, a peace officer, or a first responder who renders assistance at the scene of an emergency or during transport to the hospital, to blood or other body fluids of a patient who is transported to the hospital, to take reasonable steps to test the patient for hepatitis B or hepatitis C if the report shows there is significant risk to the person exposed. Provides that the person exposed, or the organization that employs the person or for which the person works as a volunteer in connection with rendering the assistance, is responsible for paying the costs of the test. Requires the hospital to provide the test results to the department or to the local health authority, which are responsible for following the procedures prescribed by Section 81.050(h) to inform the person exposed and, if applicable, the patient regarding the test results. Requires the hospital to follow applicable reporting requirements prescribed by Subchapter C. Provides that this subsection does not impose a duty on a hospital to provide any further testing, treatment, or services or to perform further procedures.

SECTION 2. Effective date: upon passage or September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Amends As Filed S.B. 1006 by providing that this subsection applies to accidental exposure of, among others, a peace officer or a first responder who renders assistance at the scene of an emergency or during transport to the hospital to certain body fluids of a patient. Requires the hospital receiving the patient, following a report of the exposure incident, to take reasonable steps to test the patient for hepatitis B or hepatitis C, if the report shows there is significant risk to the person exposed. Provides that the person exposed, or the organization that employs the person or for which the person works as a volunteer in connection with rendering the assistance, is responsible for paying the costs of the test. Requires the hospital to provide the test results to the department or to the local health authority, which are responsible for following the procedures prescribed by Section 81.050(h) to inform the person exposed and, if applicable, the patient regarding the test results. Requires the hospital to follow applicable reporting requirements prescribed by Subchapter C. Provides that this

subsection does not impose a duty on a hospital to provide any further testing, treatment, or services or to perform further procedures.