

BILL ANALYSIS

Senate Research Center
77R7433 JAT-D

S.B. 1084
By: Harris
Health & Human Services
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DIGEST AND PURPOSE

Hepatitis A is generally a less serious form of the hepatitis disease, yet it can still pose a risk to those with weakened or immature immune systems. While there is no specific treatment for a hepatitis A infection, it can be managed, and a vaccination can prevent the virus. Food handlers can play a critical role in hepatitis A transmission since the virus can be transmitted through contaminated food. As proposed, S.B. 1084 requires food service workers to be immunized against hepatitis A in order to protect the public health.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Health in SECTION 1 (Section 438.038, Health and Safety Code), of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 438C, Health and Safety Code, by adding Section 438.038, as follows:

Sec. 438.038. HEPATITIS IMMUNIZATION REQUIRED. (a) Prohibits a person, except as provided by Subsection (c), from being employed in an activity regulated by Section 438.032, unless the person is immunized against hepatitis A.

(b) Requires the Texas Department of Health (department) to adopt rules for the scheduling of hepatitis A vaccinations required under this section.

(c) Provides that immunization is not required under Subsection (a) under certain circumstances.

(d) Requires a local government authority that issues food handler permits to revoke or refuse to renew a permit issued to a person who violates this section.

(e) Provides that a food service establishment, retail food store, mobile food unit, or roadside food vendor that employs a person who violates this section is subject to the same consequence as would be imposed for a violation of the permitting law applicable to the food service establishment, retail food store, mobile food unit, or roadside food vendor or of a rule adopted under that permitting law. Defines "food service establishment," "retail food store," "mobile food unit," and "roadside food vendor."

SECTION 2. (a) Effective date: September 1, 2001.

(b) Requires the department to adopt the rules necessary to administer Section 438.038, Health and Safety Code, as added by this Act, not later than December 1, 2001.

(c) Provides that a person is not required to comply with the requirements of Section 438.038,

Health and Safety Code, as added by this Act, before January 1, 2002.