

## **BILL ANALYSIS**

Senate Research Center  
77R5254 JSA-D

C.S.S.B. 31  
By: Zaffirini  
Health & Human Services  
2/16/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, dormitory residents face a high risk of contracting bacterial meningitis because of crowded living environments. As proposed, C.S.S.B. 31 requires that all college and university students be provided with information regarding the risks, symptoms, and vaccine for bacterial meningitis and the availability of a vaccine to students through the student health center.

### **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 Subchapter Z, Chapter 51, Education Code, by adding Section 51.9191, as follows:

Sec. 51.9191. BACTERIAL MENINGITIS INFORMATION FOR NEW STUDENTS. Defines “institution of higher education,” “private or independent institution of higher education,” and “new student.” Requires the Texas Higher Education Coordinating Board (coordinating board) to prescribe procedures by which each institution of higher education will provide information relating to bacterial meningitis to new students of the institution. Requires that the procedures provide for the information to be provided in a brochure or other manner so that the information is reasonably likely to come to the attention of each student. Requires the coordinating board to prescribe the form and content of the information. Requires the information to cover certain areas. Requires the coordinating board to consult with the Texas Department of Health in prescribing the content of the information to be provided to students under this section. Requires the coordinating board to establish an advisory committee to assist the coordinating board in the initial implementation of this section. Requires the advisory committee to include at least two members who are students at public or private institutions of higher education. Authorizes an institution of higher education, with written consent of the coordinating board, to provide the information required by this section to new students of the institution by a method different from the method prescribed by the coordinating board under Subsection (b) if the board determines that method would be effective in bringing the information to the attention of all new students of the institution. Requires each institution of higher education to obtain from each new student of the institution a confirmation signed or acknowledged by the student that the student has received the information required to be provided to the student under this section and is required to retain the confirmation for not less than two years after the student first enrolls at the institution. Requires the coordinating board and the Texas Department of Health to encourage private or independent institutions of higher education to provide the information prescribed by Subsection (b) to all new students of those institutions.

SECTION 2. Amends Chapter 38, Education Code, by adding Section 38.0025, as follows:

Sec. 38.0025. DISSEMINATION OF BACTERIAL MENINGITIS INFORMATION. Requires the agency Texas Education Agency (agency) to prescribe procedures by which each

school district is required to provide information relating to bacterial meningitis to its students and their parents each school year. Requires the procedures to ensure that the information is reasonably likely to come to the attention of the parents of each student. Requires the agency to prescribe the form and content of the information. Requires the information to cover certain criteria. Requires the agency to consult with the Texas Department of Health in prescribing the content of the information to be provided to students under this section. Requires the agency to establish an advisory committee to assist the coordinating board in the initial implementation of this section. Requires the advisory committee to include at least two members who are parents of students at public schools in this state. Authorizes a school district, with the written consent of the agency, to provide information required by this section to its students and their parents by a method different from the method prescribed by the agency under Subsection (a) if the agency determines the method would be effective in bringing the information to the attention of the parents of each student.

SECTION 3. Effective date: upon passage or September 1, 2001. Provides that Section 38.0025, Education Code, as added by this Act, applies beginning with the 2001-2002 school year. Requires the coordinating board to implement Section 51.9191, Education Code, as added by this Act, as necessary to ensure that the information required by that section is provided to new students of institutions of higher education entering those institutions on or after January 1, 2002.

#### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Amends As Filed S.B. 31, Section 51.9191, Education Code, as follows:

- Adds new language pertaining to description of risks and possible side effects of vaccination.
- Replaces “required” with “prescribed” referring to the method used by an institution of higher education to provide certain information.
- Adds new language pertaining to obtaining a confirmation signed by the student.

SECTION 2. Adds Section 38.0025 (Dissemination of Bacterial Meningitis Information), Education Code.

SECTION 3. Redesignates SECTION 2 of the original as SECTION 3 of the substitute.

- Adds new language pertaining to Section 38.0025, Education Code, providing this Act applies with the beginning of the 2001-2002 school year.