

BILL ANALYSIS

Senate Research Center
80R1744 MSE-D

S.B. 41
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Transportation and Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In current law, there is no mandate to maintain an information system in order to track medical patients or persons with medical conditions requiring special evacuation assistance or criminals during a disaster. In a state of emergency, medical patients and persons with special needs may be vulnerable and require specialized care. It is also noted that criminals and sexual predators can take advantage of the confusion inherent in an evacuation.

As proposed, S.B. 41 allows emergency management agencies and political subdivisions to post and view information, including tracking of persons with medical needs or conditions and data, such as whether an evacuee is a known criminal or sex offender. This bill also provides for pre-planning of the allocation of health resources and personnel during a disaster.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 (Section 782.002, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.049, as follows:

Sec. 418.049. TRACKING SYSTEM. (a) Requires the division of emergency management (division) to develop and adopt a statewide emergency management tracking system (system) to assist agencies in the coordination of emergency evacuations.

(b) Requires the system adopted under this section to permit certain agencies to post and view information, track patients during an emergency evacuation, include certain information about evacuees, and maintain updated information on emergency shelters and other facilities.

(c) Requires the division to integrate systems maintained by political subdivisions of the state with the system developed under this section. Requires political subdivisions with a system to cooperate with the division, as necessary to comply with this subsection.

SECTION 2. Amends Subtitle B, Title 9, Health and Safety Code, by adding Chapter 782, as follows:

CHAPTER 782. HEALTH CARE DISASTER PREPAREDNESS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 782.001. DEFINITIONS. Defines "department" and "disaster."

Sec. 782.002. RULES. Authorizes the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement this chapter.

[Reserves Sections 782.003 through 782.050 for expansion.]

SUBCHAPTER B. DISASTER PREPAREDNESS

Sec. 782.051. PATIENT EVACUATION STANDARDS. Requires the Department of State Health Services (DSHS) to develop standards for transferring certain evacuees' medical information. Requires the standards to address a variety of facilities that admit patients.

Sec. 782.052. CONTINUITY OF OPERATIONS PLANS. Requires DSHS and the division to develop continuity of operations plans to address certain essential DSHS functions in the event of a disaster. Requires DSHS to ensure that a continuity of operations plan is adequately tested and to conduct training and other exercises in the implementation of the plan.

Sec. 782.053. VOLUNTEER PLACEMENT. Requires DSHS, in conjunction with stakeholders and organizations that possess volunteer lists, to develop a method for placing volunteer licensed health care professionals with appropriate service providers to address health care needs in the event of a disaster.

Sec. 782.054. RESOURCE PLACEMENT. Requires DSHS, in conjunction with stakeholders, to develop a protocol for distributing health care resources, including locally held assets, in the event of a disaster. Requires DSHS to evaluate the cost and benefit of pre-positioning medical supplies and other items geographically throughout the state in preparing for a disaster.

Sec. 782.055. EVACUATION OF SPECIAL NEEDS POPULATION. Requires DSHS, in conjunction with stakeholders, to develop protocols to be implemented to facilitate the emergency evacuation of individuals with special needs.

SECTION 3. Effective date: upon passage or September 1, 2007.