

BILL ANALYSIS

Senate Research Center
81R10570 JSC-D

S.B. 1932
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During a disaster and evacuation, dialysis treatment for patients experiencing renal failure is critical and time sensitive. Consequently, evacuees may need to rely on area hospitals to receive their needed treatments. However, due to licensure requirements, hospitals are not authorized to provide outpatient dialysis treatment.

Section 251.011 (License Required), Health and Safety Code, requires that facilities providing dialysis treatment be licensed by the state. Section 251.012 (Exemptions From Licensing Requirement), Health and Safety Code, exempts certain facilities, such as physicians' offices and home and community support services agencies, from the licensure requirements. However, an exemption for hospitals is only available for inpatient dialysis services.

As proposed, S.B. 1932 provides an exemption from licensure requirements for hospitals licensed under Chapter 241 (Hospitals) that provide dialysis only to individuals receiving inpatient services or individuals receiving outpatient services who are temporarily relocated due to a disaster declared by the governor or a federal disaster declared by the president of the United States occurring in this state or another state.

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 251.012, Health and Safety Code, to provide that certain facilities are not required to be licensed under this chapter, including a hospital licensed under Chapter 241 (Hospitals) that provides dialysis only to individuals receiving inpatient services from the hospital or individuals receiving outpatient services from the hospital who are temporarily relocated due to a disaster declared by the governor or a federal disaster declared by the president of the United States occurring in this state or another state. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009.