

BILL ANALYSIS

Senate Research Center
84R7193 KKR-F

H.B. 2646
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Health & Human Services
5/18/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Last year, multiple cases of Ebola were confirmed in Texas and, according to interested parties, around 100 people were monitored by local authorities for weeks after their direct or indirect contact with an Ebola patient. The parties note that it became apparent during this monitoring period that neither the local authorities nor the center that was established to coordinate all of the stakeholders were authorized by state law to release monitoring information to first responders. H.B. 2646 seeks to address this issue by authorizing the release of medical information to first responders for the duration of a communicable disease's incubation period.

H.B. 2646 amends current law relating to the disclosure of information regarding communicable diseases to first responders and certain entities.

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 81.046, Health and Safety Code, by amending Subsections (b), (c), and (f) and adding Subsections (c-1), (c-2), and (g), as follows:

(b) Adds a reference to Subsection (c-1) and makes no further change to this subsection.

(c) Authorizes medical or epidemiological information, including information linking a person who is exposed to a person with a communicable disease, to be released:

(1)-(3) Makes no change to these subdivisions;

(4) and (5) Makes nonsubstantive changes to these subdivisions;

(6) to governmental entities that provide first responders who may respond to a situation involving a potential communicable disease of concern and need the information to properly respond to the situation; or

(7) to a local health department or health authority for a designated monitoring period based on the potential risk for developing symptoms of a communicable disease of concern.

(c-1) Requires a local health department or health authority to provide to first responders the physical address of a person who is being monitored by the local department or authority for a communicable disease for the duration of the disease's incubation period. Requires the local health department, health authority, or other governmental entity, as applicable, to remove the person's physical address from any computer-aided dispatch system after the monitoring period expires.

(c-2) Authorizes only the minimum necessary information to be released under Subsections (c)(6) and (7) and (c-1), as determined by a health authority, local health department, governmental entity, or department.

(f) Authorizes reports, records, and information relating to cases or suspected cases of diseases or health conditions to be released to the extent necessary during a public health disaster, including an outbreak of a communicable disease, to law enforcement personnel and first responders solely for the purpose of protecting the health or life of a first responder or the person identified in the report, record, or information.

(g) Defines “first responder.”

SECTION 2. Effective date: September 1, 2015.