

BILL ANALYSIS

Senate Research Center

H.B. 2734
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

For the many Texans waiting for an organ transplant, voluntary donations are essential. Current law allows a donor's guardian to make an anatomical gift before the donor's death on behalf of the donor. Many guardians would elect to do so for loved ones living in state supported living centers, but there is no easy, standard form.

H.B. 2734 would direct the Health and Human Services Commission to prescribe an anatomical gift form which a guardian may sign on behalf of a resident of a state supported living center. Not only would this form give the state clarity, it also would give families peace that they have a say in the life and death of a loved one as they give life to another Texan in dire need.

H.B. 2734 amends current law relating to an anatomical gift on behalf of a resident in a state supported living center.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 555.027, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 555, Health and Safety Code, by adding Section 555.027, as follows:

Sec. 555.027. ANATOMICAL GIFT. (a) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) by rule to prescribe a form that the guardian of a resident in a state supported living center is authorized to sign on behalf of the resident if the resident's guardian elects to make an anatomical gift on behalf of the resident in accordance with Chapter 692A (Revised Uniform Anatomical Gift Act).

(b) Provides that Subsection (a) does not preclude a guardian from executing a document in accordance with Chapter 692A that supersedes the form executed under that subsection.

SECTION 2. Requires the executive commissioner, not later than December 1, 2019, to prescribe the form as required by Section 555.027, Health and Safety Code, as added by this Act.

SECTION 3. Effective date: September 1, 2019.