

## **BILL ANALYSIS**

Senate Research Center  
86R6966 KKR-D

S.B. 2351  
By: Hall  
Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There are a variety of reasons that patients opt-out of vaccines and immunizations; for example, conscientious objections, parental concerns, and health concerns. Medical professionals often feel pressure to refuse treatment of a patient based on that patient's exemption from a vaccine or vaccines.

S.B. 2351 would simply state that, "a health care provider may not refuse to provide health care services to a patient solely because a patient has or has not received immunization for a particular communicable disease."

Parents have the right to decide what substances are injected into the bodies of their minor children. Additionally, the rights of conscience should be protected and citizens should not be punished for their sincerely-held belief to refuse an immunization.

As proposed, S.B. 2351 amends current law relating to discrimination by a health care provider based on immunization status.

### **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 B, Chapter 531, Government Code, by adding Section 531.0333, as follows:

Sec. 531.0333. DISCRIMINATION BY HEALTH CARE PROVIDER BASED ON IMMUNIZATION STATUS. (a) Prohibits a health care provider from refusing to provide health care services to a patient solely because a patient has or has not received immunization for a particular communicable disease.

(b) Provides that a health care provider that violates this section is not eligible to receive money from the state for services provided to patients, including under the medical assistance program under Chapter 32 (Medical Assistance Program), Human Resources Code, or under the child health plan program under Chapter 62 (Child Health Plan For Certain Low-Income Children), Health and Safety Code.

SECTION 2. Requires a state agency affected by a provision of this Act to request a waiver or authorization from a federal agency if the state agency determines that such a waiver or authorization is necessary for implementation of a provision of this Act, and authorizes the agency to delay implementation until such a waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2019.