

By: Gutierrez

H.B. No. 1362

A BILL TO BE ENTITLED

AN ACT

relating to the reporting of methicillin-resistant Staphylococcus aureus.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 81.0445, Health and Safety Code, is amended to read as follows:

Sec. 81.0445. MRSA REPORTING PROCEDURES [~~PILOT~~] PROGRAM.

(a) The executive commissioner of the Health and Human Services Commission by rule shall develop and the department shall establish a [~~pilot~~] program to research and implement procedures for reporting cases of methicillin-resistant Staphylococcus aureus (MRSA). A health authority shall not be required to participate in the program.

(b) A health authority that participates in the program shall administer the program locally and report to the department as required by this section. [~~The department shall select to administer the program a health authority that:~~

~~(1) demonstrates an interest in hosting the program,~~
and

~~(2) possesses adequate resources to administer the program successfully.]~~

(c) The [~~pilot~~] program must:

(1) require all clinical laboratories, including hospital laboratories and clinical reference laboratories, within

1 the area served by each ~~[the]~~ health authority participating in the
2 program to report all positive cases of methicillin-resistant
3 Staphylococcus aureus to the health authority ~~[pilot]~~ program
4 administrator using automated and secure electronic data
5 transmission;

6 (2) track the prevalence of methicillin-resistant
7 Staphylococcus aureus;

8 (3) evaluate, on a biennial basis, ~~[study]~~ the cost
9 and feasibility of expanding the list of reportable diseases
10 established under this chapter to include methicillin-resistant
11 Staphylococcus aureus;

12 (4) develop a methodology for the electronic exchange
13 of information regarding the occurrence of methicillin-resistant
14 Staphylococcus aureus within the area served by each ~~[the]~~ health
15 authority participating in the program;

16 (5) collect data and analyze findings regarding the
17 prevalence ~~[sources and possible prevention]~~ of
18 methicillin-resistant Staphylococcus aureus;

19 (6) provide for the reporting to the public by the
20 department of information regarding methicillin-resistant
21 Staphylococcus aureus; and

22 (7) compile and make available to the public a
23 summary~~[, by location, of the infections reported, and~~

24 ~~[(8) make recommendations to the department]~~
25 regarding Subdivisions (1) through (6) ~~[(7)]~~.

26 (d) Not later than September 1 of each even-numbered year,
27 ~~[2009,]~~ the department, in consultation with each ~~[the]~~ health

1 authority participating in ~~[administering]~~ the ~~[pilot]~~ program,
2 shall submit to the legislature a report concerning the
3 effectiveness of the ~~[pilot]~~ program ~~[in tracking and reducing the~~
4 ~~number of methicillin-resistant Staphylococcus aureus infections~~
5 ~~within the area served by the health authority]~~.

6 ~~[(c) This section expires, and the pilot program is~~
7 ~~abolished, September 1, 2009.]~~

8 SECTION 2. (a) Except as provided by Subsection (b) of this
9 section, this Act takes effect immediately if it receives a vote of
10 two-thirds of all the members elected to each house, as provided by
11 Section 39, Article III, Texas Constitution. If this Act does not
12 receive the vote necessary for immediate effect, this Act takes
13 effect on the 91st day after the last day of the legislative
14 session.

15 (b) The change in law made by this Act to Section
16 81.0445(d), Health and Safety Code, takes effect September 1, 2009.