

1-1 By: Giddings (Senate Sponsor - West) H.B. No. 2646
 1-2 (In the Senate - Received from the House May 18, 2015;
 1-3 May 18, 2015, read first time and referred to Committee on Health
 1-4 and Human Services; May 22, 2015, reported favorably by the
 1-5 following vote: Yeas 9, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the disclosure of information regarding communicable
 1-20 diseases to first responders and certain entities.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 81.046, Health and Safety Code, is
 1-23 amended by amending Subsections (b), (c), and (f) and adding
 1-24 Subsections (c-1), (c-2), and (g) to read as follows:

1-25 (b) Reports, records, and information relating to cases or
 1-26 suspected cases of diseases or health conditions are not public
 1-27 information under Chapter 552, Government Code, and may not be
 1-28 released or made public on subpoena or otherwise except as provided
 1-29 by Subsections (c), (c-1), (d), and (f).

1-30 (c) Medical or epidemiological information, including
 1-31 information linking a person who is exposed to a person with a
 1-32 communicable disease, may be released:

1-33 (1) for statistical purposes if released in a manner
 1-34 that prevents the identification of any person;

1-35 (2) with the consent of each person identified in the
 1-36 information;

1-37 (3) to medical personnel treating the individual,
 1-38 appropriate state agencies in this state or another state, a health
 1-39 authority or local health department in this state or another
 1-40 state, or federal, county, or district courts to comply with this
 1-41 chapter and related rules relating to the control and treatment of
 1-42 communicable diseases and health conditions or under another state
 1-43 or federal law that expressly authorizes the disclosure of this
 1-44 information;

1-45 (4) to appropriate federal agencies, such as the
 1-46 Centers for Disease Control and Prevention of the United States
 1-47 Public Health Service, but the information must be limited to the
 1-48 name, address, sex, race, and occupation of the patient, the date of
 1-49 disease onset, the probable source of infection, and other
 1-50 requested information relating to the case or suspected case of a
 1-51 communicable disease or health condition; ~~or~~

1-52 (5) to medical personnel to the extent necessary in a
 1-53 medical emergency to protect the health or life of the person
 1-54 identified in the information;

1-55 (6) to governmental entities that provide first
 1-56 responders who may respond to a situation involving a potential
 1-57 communicable disease of concern and need the information to
 1-58 properly respond to the situation; or

1-59 (7) to a local health department or health authority
 1-60 for a designated monitoring period based on the potential risk for
 1-61 developing symptoms of a communicable disease of concern.

2-1 (c-1) A local health department or health authority shall
2-2 provide to first responders the physical address of a person who is
2-3 being monitored by the local department or authority for a
2-4 communicable disease for the duration of the disease's incubation
2-5 period. The local health department, health authority, or other
2-6 governmental entity, as applicable, shall remove the person's
2-7 physical address from any computer-aided dispatch system after the
2-8 monitoring period expires.

2-9 (c-2) Only the minimum necessary information may be
2-10 released under Subsections (c)(6) and (7) and (c-1), as determined
2-11 by a health authority, local health department, governmental
2-12 entity, or department.

2-13 (f) Reports, records, and information relating to cases or
2-14 suspected cases of diseases or health conditions may be released to
2-15 the extent necessary during a public health disaster, including an
2-16 outbreak of a communicable disease, to law enforcement personnel
2-17 and first responders solely for the purpose of protecting the
2-18 health or life of a first responder or the person identified in the
2-19 report, record, or information. Only the minimum necessary
2-20 information may be released under this subsection, as determined by
2-21 the health authority, the local health department, or the
2-22 department.

2-23 (g) For purposes of this section, "first responder" has the
2-24 meaning assigned by Section 421.095, Government Code.

2-25 SECTION 2. This Act takes effect September 1, 2015.

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