

1-1 By: Bonnen of Galveston (Senate Sponsor - Taylor) H.B. No. 1901
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 8, 2019, read first time and referred to Committee on State
 1-4 Affairs; May 17, 2019, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Hughes	X			
1-9 Birdwell	X			
1-10 Creighton	X			
1-11 Fallon	X			
1-12 Hall	X			
1-13 Lucio	X			
1-14 Nelson	X			
1-15 Zaffirini	X			

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

1-19 relating to the disclosure of certain mental health records of
 1-20 deceased state hospital patients.

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

1-22 SECTION 1. Chapter 611, Health and Safety Code, is amended
 1-23 by adding Section 611.0041 to read as follows:

1-24 Sec. 611.0041. REQUIRED DISCLOSURE OF CONFIDENTIAL
 1-25 INFORMATION OTHER THAN IN JUDICIAL OR ADMINISTRATIVE PROCEEDING.

1-26 (a) In this section:

1-27 (1) "Patient" has the meaning assigned by Section
 1-28 552.0011.

1-29 (2) "State hospital" has the meaning assigned by
 1-30 Section 552.0011.

1-31 (b) To the extent permitted by federal law, a professional
 1-32 shall disclose confidential information to the descendant of a
 1-33 patient of a state hospital if:

1-34 (1) the patient has been deceased for at least 50
 1-35 years; and

1-36 (2) the professional does not have information
 1-37 indicating that releasing the medical record is inconsistent with
 1-38 any prior expressed preference of the deceased patient or personal
 1-39 representatives of the deceased patient's estate.

1-40 (c) A person who receives information from confidential
 1-41 communications or records may not disclose the information except
 1-42 to the extent that disclosure is consistent with the authorized
 1-43 purposes for which the person first obtained the information.

1-44 SECTION 2. This Act takes effect September 1, 2019.

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