

1-1 By: Nelson S.B. No. 384
1-2 (In the Senate - Filed January 18, 2019; February 14, 2019,
1-3 read first time and referred to Committee on Health & Human
1-4 Services; April 4, 2019, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 4, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>X</u>			
1-10	<u>X</u>			
1-11	<u>X</u>			
1-12	<u>X</u>			
1-13	<u>X</u>			
1-14	<u>X</u>			
1-15	<u>X</u>			
1-16	<u>X</u>			
1-17	<u>X</u>			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 384 By: Seliger

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the reporting of health care-associated infections and
1-22 preventable adverse events at health care facilities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 98.103, Health and Safety Code, is
1-25 amended by amending Subsection (a) and adding Subsection (a-1) to
1-26 read as follows:

1-27 (a) A health care facility~~[, other than a pediatric and~~
1-28 ~~adolescent hospital,~~ shall report to the department each health
1-29 care-associated infection [the incidence of surgical site
1-30 infections], including the causative pathogen if the infection is
1-31 laboratory-confirmed, that occurs [occurring] in the facility and
1-32 that the federal Centers for Medicare and Medicaid Services
1-33 requires a facility participating in the Medicare program to report
1-34 through the federal Centers for Disease Control and Prevention's
1-35 National Healthcare Safety Network, or its successor [following
1-36 procedures.

1-37 ~~[(1) colon surgeries,~~
1-38 ~~(2) hip arthroplasties,~~
1-39 ~~(3) knee arthroplasties,~~
1-40 ~~(4) abdominal hysterectomies,~~
1-41 ~~(5) vaginal hysterectomies,~~
1-42 ~~(6) coronary artery bypass grafts, and~~
1-43 ~~(7) vascular procedures].~~

1-44 (a-1) A health care facility shall report each health
1-45 care-associated infection to the department under this section
1-46 regardless of the facility's participation in Medicare.

1-47 SECTION 2. The following provisions of the Health and
1-48 Safety Code are repealed:

1-49 (1) Section 98.001(10);
1-50 (2) Sections 98.103(b) and (c); and
1-51 (3) Section 98.105.

1-52 SECTION 3. (a) The executive commissioner of the Health and
1-53 Human Services Commission shall adopt rules as necessary to
1-54 implement Section 98.103, Health and Safety Code, as amended by
1-55 this Act, not later than January 1, 2020.

1-56 (b) Section 98.103, Health and Safety Code, as amended by
1-57 this Act, applies only to a report for a health care-associated
1-58 infection occurring on or after January 1, 2020. A report for a
1-59 health care-associated infection occurring before that date is
1-60 governed by the law as it existed on the date the infection

2-1 occurred, and that law is continued in effect for that purpose.

2-2 SECTION 4. The Health and Human Services Commission is
2-3 required to implement a provision of this Act only if the
2-4 legislature appropriates money specifically for that purpose. If
2-5 the legislature does not appropriate money specifically for that
2-6 purpose, the commission may, but is not required to, implement a
2-7 provision of this Act using other appropriations available for that
2-8 purpose.

2-9 SECTION 5. This Act takes effect September 1, 2019.

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