

1-1 By: Hall S.B. No. 389  
1-2 (In the Senate - Filed January 12, 2023; February 15, 2023,  
1-3 read first time and referred to Committee on Health & Human  
1-4 Services; April 24, 2023, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 April 24, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Blanco	X		
1-12	Hall	X		
1-13	Hancock	X		
1-14	Hughes	X		
1-15	LaMantia	X		
1-16	Miles	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 389 By: Hall

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

1-21 relating to information requested from the Texas Medical Board by a  
1-22 member, committee, or agency of the legislature.

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

1-24 SECTION 1. Subchapter A, Chapter 154, Occupations Code, is  
1-25 amended by adding Section 154.007 to read as follows:

1-26 Sec. 154.007. COMPLIANCE WITH CERTAIN PUBLIC INFORMATION  
1-27 REQUESTS. (a) Notwithstanding any other provision of this  
1-28 subtitle, the board shall comply with a request for public  
1-29 information made under Section 552.008, Government Code.

1-30 (b) When complying with a request for public information  
1-31 described by Subsection (a), the board may redact:

1-32 (1) patient information protected by the federal  
1-33 Health Insurance Portability and Accountability Act of 1996 (Pub.  
1-34 L. No. 104-191), unless the request includes authorization from the  
1-35 patient to disclose the protected information; and

1-36 (2) personally identifiable information of an  
1-37 individual, except for the name of the individual.

1-38 (c) The board shall include with every fulfilled request for  
1-39 public information described by Subsection (a) a written notice  
1-40 stating that improper use or distribution of confidential  
1-41 information constitutes an offense under Section 552.352,  
1-42 Government Code.

1-43 SECTION 2. Section 154.055, Occupations Code, is repealed.

1-44 SECTION 3. This Act takes effect immediately if it receives  
1-45 a vote of two-thirds of all the members elected to each house, as  
1-46 provided by Section 39, Article III, Texas Constitution. If this  
1-47 Act does not receive the vote necessary for immediate effect, this  
1-48 Act takes effect September 1, 2023.

1-49 \* \* \* \* \*