

1-1 By: Leach, et al. (Senate Sponsor - Kolckhorst) H.B. No. 4076
1-2 (In the Senate - Received from the House May 15, 2025;
1-3 May 19, 2025, read first time and referred to Committee on Health &
1-4 Human Services; May 21, 2025, reported favorably by the following
1-5 vote: Yeas 7, Nays 1; May 21, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Kolckhorst	X		
1-9	Perry	X		
1-10	Blanco	X		
1-11	Cook		X	
1-12	Hall	X		
1-13	Hancock	X		
1-14	Hughes		X	
1-15	Miles	X		
1-16	Sparks	X		

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

1-19 relating to prohibiting organ transplant recipient discrimination
1-20 on the basis of vaccination status.

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

1-22 SECTION 1. Subchapter S, Chapter 161, Health and Safety
1-23 Code, is amended by adding Section 161.474 to read as follows:

1-24 Sec. 161.474. DISCRIMINATION ON BASIS OF VACCINATION STATUS
1-25 PROHIBITED. (a) A health care provider may not, solely on the
1-26 basis of an individual's vaccination status:

1-27 (1) determine an individual is ineligible to receive
1-28 an organ transplant;

1-29 (2) deny medical or other services related to an organ
1-30 transplant, including evaluation, surgery, counseling, and
1-31 postoperative treatment;

1-32 (3) refuse to refer the individual to a transplant
1-33 center or other related specialist for evaluation or receipt of an
1-34 organ transplant; or

1-35 (4) refuse to place the individual on an organ
1-36 transplant waiting list or place the individual at a position lower
1-37 in priority on the list than the position the individual would have
1-38 been placed if not for the individual's vaccination status.

1-39 (b) Notwithstanding Subsection (a), a health care provider
1-40 may consider an individual's vaccination status when making a
1-41 treatment recommendation or decision solely to the extent that a
1-42 physician, following an individualized evaluation of the potential
1-43 transplant recipient, determines the vaccination status is
1-44 medically significant to the organ transplant. This section does
1-45 not require a referral or recommendation for, or the performance
1-46 of, a medically inappropriate organ transplant.

1-47 (c) This section applies to each stage of the organ
1-48 transplant process.

1-49 (d) A person may not take an adverse action or impose a
1-50 penalty of any kind against a health care provider based solely on
1-51 the fact that the health care provider complied with Subsection
1-52 (a).

1-53 (e) A physician who in good faith makes a determination that
1-54 an individual's vaccination status is medically significant to the
1-55 organ transplant, as described by Subsection (b), does not violate
1-56 this section.

1-57 (f) A health care provider may:

1-58 (1) develop alternative risk mitigation strategies,
1-59 including antibody testing, prophylactic treatments, and antiviral
1-60 therapy, in lieu of requiring a vaccination; and

1-61 (2) inform patients of the risks and benefits of

2-6 SECTION 3. This Act takes effect September 1, 2025.

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