

DFW-APIC Government Affairs Committee (GAC) – 81st Texas Legislative Session

April 2009

TEXAS ISSUES

TEXAS REGISTER

- The 12/05/08 PROPOSED changes to the operating requirements for ASC's have not been adopted as of 03/27/09: **25 TAC §§135.1 - 135.29; 25 TAC §135.41, §135.42; 25 TAC §§135.41 - 135.43; 25 TAC §§135.51 - 135.54; 25 TAC §§135.51 - 135.56.**

TEXAS 81st LEGISLATIVE SESSION

- As of 04/01/09 there are x58 bills filed with the word "Infection" and x232 bills filed with the word "Disease". Of these 290 filed bills the twenty-four (24) listed below have the potential to impact the practice of infection prevention and control at the healthcare facility level and/or immunization system.
- The status of bills with infection control content under "Last Activity" as of 04/01/09. NOTE: Shaded bills (06) are those with activity (moving).

Texas Bills Filed with Infection Control Content*

Bill Name	Last Activity	Summary of Content
SB 7 (Nelson)	Filed 03/12/09; Referred to Health & Human Services 03/18/09; ^ 03/31 and left pending in committee	Relating to strategies for and improvements in quality of health care and care management provided through health care facilities and through the child health plan and medical assistance programs designed to improve health outcomes. NOTE: Requires reporting and non-reimbursement for preventable events (HAI's included). This would expand the SB 288 from last session of HAI Advisory panel to include "preventable" HAI's.
HB 142 (McClendon)	Referred to Public Health 02/12	Relating to disease control programs to reduce the risk of certain communicable diseases (needle and syringe exchange program). NOTE: Companion Bill SB 188
SB 180 (Gallegos)	Referred to State Affairs 02/10	Relating to the creation of a state occupational health and safety plan; establishing a maintenance tax

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SB 188 (Duell & Van de Putte)	Received from Senate 03/23/09; Referred to Public Health 3/31	Relating to disease control programs to reduce the risk of certain communicable diseases (needle and syringe exchange program). NOTE: Companion Bills HB 142 & HB 272 & HB 3707
SB 203 (Shapleigh)	Referred to Health & Human Services 02/11; ^ 03/31/09; Committee Substitute was voted favorably from committee and passes to the local and uncontested calendar	Relating to the reporting of MRSA infection rates in hospitals, all units. NOTE: Would change SB 288 passed into law last session (80 th). COMMITTEE SUBSTITUTE LANGUAGE: <u>'including the associated underlying pathogens, if laboratory confirmed and epidemiologically significant'</u> ... for the CLABSI's and SSI's from included in SB 288 from last session.
HB 272 (Ortiz Jr.)	Referred to Public Health 02/17	Relating to disease control programs to reduce the risk of certain communicable diseases (needle and syringe exchange program).). NOTE: Companion Bill SB 188
SB 291 (Nelson)	Report Engrossed Senate & Received from the Senate 03/19; Referred to Public Health 3/31	Relating to hepatitis B vaccination for students enrolled in certain health-related courses of study at an institution of higher education.
SB 347 (Nelson)	Report Engrossed Senate & Received from the Senate 03/19; Referred to Public Health 3/31	Relating to the receipt and release of immunization information by the immunization registry in connection with a disaster. NOTE: Companion Bill HB 1879 & HB 2383
SB 353 (Shapleigh)	Filed 2/17/09; Referred to Health & Human Services 02/17/09	Relating to nonpayment of hospitals under the state Medicaid program for certain preventable adverse conditions. NOTE: Companion Bill HB 852: Includes HAI's.

Bill Name	Last Activity	Summary of Content
SB 494 (Nelson)	Referred to Finance 02/17	Relating to making an appropriation to the Department of State Health Services to be used in connection with the reporting of health care-associated infections at certain health care facilities and the creation of an advisory panel. FUNDING
HB 852 (T.Smith)	Filed 01/29/09; Referred to Public Health 02/26	Relating to nonpayment of hospitals under the state Medicaid program for certain preventable adverse conditions. NOTE: Companion Bill SB 353: Includes HAI's.
SB 1171 (Nichols)	Filed 02/26/09; Referred to Health & Human Services 03/13/09	Relating to certain health-related reports, records, and information. NOTE: Confidentiality Issues (permits interstate data sharing and expands the release of information to federal, local health departments and public health districts).
SB 1213 (Gallegos & Duell)	Filed 02/27/09; Referred to State Affairs 03/13	Relating to certain diseases or illnesses suffered by certain emergency first responders. NOTE: Companion Bill HB 4560. Would add MRSA to the list of things we must report as "exposures" already in law/regulation.
HB 1362 (Gutierrez)	Filed 02/17; Referred to Public Hlth 3/2	Relating to the reporting of MRSA. NOTE: Companion Bill SB 1816. Would move the "pilot" program of last session (80 th) of passed HB 1082 to become a standing "Program".
HB 1386 (Y.Davis)	Filed 02/18; Referred to Public Hlth 3/2	Relating to the reporting of HAI's at healthcare facilities. NOTE: Would change SB 288 passed into law last session (80 th)
SB 1535 (Hinojosa)	Filed 03/09/09 Referred to Health & Human Services 3/17	Relating to nonpayment of hospitals under the state Medicaid program for certain preventable adverse events and to the reporting of occurrences of those events at certain health care facilities. NOTE: Companion Bill HB 3233: Requires reporting and no payment for preventable adverse events including HAI's.
SB 1816 (Van de Putte)	Filed 03/11/09; Referred to Health & Human Services 03/20	Relating to the reporting of MRSA. NOTE: Companion Bill HB 1362. Would move the "pilot" program of last session (80 th) of passed HB 1082 to become a standing "Program".
HB 1879 (J.Davis)	Filed 02/26/09; Referred to Public Hlth 3/5	Relating to the receipt and release of immunization information by the immunization registry in connection with a disaster. NOTE: Companion Bill SB 347 & HB 2383

Bill Name	Last Activity	Summary of Content
HB 2383 (Kolkhorst)	Referred to Public Hlth 03/10: ^ 03/24 and reported as favorably substituted; Committee report filed 3/30 & sent to calendars 3/31	Relating to the receipt and release of immunization information by the immunization registry in connection with a disaster. NOTE: Companion Bills SB 347 & HB 1879)
HB 3099 (Leibowitz)	Filed 03/10/09; Referred to Public Health 03/18/09	Relating to the reporting of preventable adverse events and the establishment of a patient safety program in hospitals and ambulatory surgical centers; providing an administrative penalty. NOTE: Includes some HAI's (similar to CMS's POA Initiative).
HB 3100 (Leibowitz)	Filed 03/10/09; Referred to Public Health 03/18/09	Relating to billing for certain adverse events that occur during the provision of health care services. NOTE: To establish a pilot program for 'Pay for Performance' similar to CMS (includes HAI's).
HB 3233 (J.Davis)	Filed 03/10/09; Referred to Public Health 03/18/09	Relating to nonpayment of hospitals under the state Medicaid program for certain preventable adverse events and to the reporting of occurrences of those events at certain health care facilities. NOTE: Companion Bill SB 1535: Requires reporting and no payment for preventable adverse events including HAI's.
HB 3707 (Coleman & Ortiz Jr.)	Filed 03/12/09; Referred to Public Health 03/19/09	Relating to disease control programs to reduce the risk of certain communicable diseases (needle and syringe exchange program). NOTE: Companion Bills HB 142 & HB 272 & SB 188
HB 4560 (Naishtat)	Filed 03/13/09; Referred to Public Health 03/26/09	Relating to certain diseases or illnesses suffered by certain emergency first responders. NOTE: Companion Bill SB 1213. Would add MRSA to the list of things we must report as "exposures" already in law/regulation.

* Go to www.capitol.state.tx.us/ to view content of bills filed

^ Scheduled for Public Hearing

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