

## DFW-APIC Government Affairs Committee (GAC) – 82<sup>nd</sup> Texas Legislative Session

May 2011

### NATIONAL ISSUE

- REMINDER: Read your weekly APIC E-News for updates on federal issues

### TEXAS ISSUES

TEXAS REGISTER (<http://www.sos.state.tx.us/texreg/index.shtml>):

- The following rule(s) concerning the reporting of healthcare-associated infections (HAI) were adopted with changes as noted below on 4/29/11: **TITLE 25. HEALTH SERVICES, PART 1. DEPARTMENT OF STATE HEALTH SERVICES, CHAPTER 200. HEALTHCARE-ASSOCIATED INFECTIONS SUBCHAPTER A. CONTROL OF COMMUNICABLE DISEASES , 25 TAC §§200.1 -200.10**  
<http://www.sos.state.tx.us/texreg/pdf/currview/0429adop.pdf>
  - **Sections 200.3, 200.4, 200.6 and 200.7** are adopted with changes to the proposed text as published in the October 22, 2010, issue of the *Texas Register* (35 TexReg 9471).
  - **Sections 200.1, 200.2, 200.5, and 200.8 -200.10** are adopted without changes, and the sections will not be republished.
  - **SECTION-BY-SECTION SUMMARY:** New §200.1 defines ambulatory surgical centers, central lines, general hospitals, great vessels, pediatric and adolescent hospitals, special care setting, and other words. New §200.2 identifies who shall report; new §200.3 identifies how to report HAI data to the department; new §200.4 identifies the surgeries or procedures from which infections are to be reported, and includes alternative surgical site infections to report if a healthcare facility does not perform at least a monthly average of 50 of any combination of procedures included in §200.4; new §200.5 addresses data to report; new §200.6 and new §200.7 provide language stating when reporting will begin for specific procedures and a schedule for reporting; new §200.8 and new §200.10 address processes for data validation and data verification; and new §200.9 addresses how HAI data will be displayed on the website.

### TEXAS HAI/PAE REPORTING RESOURCES

Be sure and check the websites below for updated information on facility requirements at least monthly. Have you signed up for your Texas HAI Reporting Seminar (Mandatory)?

[http://www.dshs.state.tx.us/idcu/health/infection\\_control/HAI/](http://www.dshs.state.tx.us/idcu/health/infection_control/HAI/) -- Texas HAI Homepage

[http://www.dshs.state.tx.us/idcu/health/infection\\_control/HAI/Reporting/](http://www.dshs.state.tx.us/idcu/health/infection_control/HAI/Reporting/) -- Reporting

TEXAS 82<sup>nd</sup> LEGISLATIVE SESSION

- As of 5/3/11 there are x69 bills filed with the word “Infection” and x375 bills filed with the word “Disease.” Of these 444 bills reviewed we are tracking sixteen (16) as listed below. These bills have the potential to impact the practice of infection prevention and control at the healthcare facility level and/or immunization system.
- Status of bills with infection control content under “Last Activity” as of 5/3/11.

Texas Bills Filed with Infection Control Content\*

Bill Name	Last Activity	Summary of Content
SB 64 (Zaffirini)	Filed 11/08/10; Left pending in committee 2/22/11	Relating to the right of an employee who is a victim of a crime to time off from work to attend court proceedings related to that crime. (employee health implications). NOTE: Companion Bill HB 3229
HB 117 (McClendon)	Filed 11/08/10; Referred to Public Health 2/11/11	Relating to disease control outreach programs to reduce the risk of certain communicable diseases. (includes needle exchange program).
SB 241 (Ellis)	Filed 12/01/10; Referred to Health & Human Services 1/31/11	Relating to HIV and AIDS tests and to health benefit plan coverage of HIV and AIDS tests (an “opting out” only for HIV testing in healthcare facilities?). NOTE: Companion Bill HB 786
HB 614 (Hopson)	Filed 1/12/11; Referred to Public Health 2/18/11	Relating to allowing health care providers to provide services across state lines in catastrophic circumstances.
HB 786 (Davis)	Filed 1/21/11; Referred to Insurance 2/23/11	Relating to HIV and AIDS tests and to health benefit plan coverage of HIV and AIDS tests. NOTE: Companion Bill SB 241
SB 8 (Nelson)	Filed 2/16/11; Received from Senate 4/19/11; Referred to Public Health 4/28/11	Relating to improving the quality and efficiency of health care, including reporting of HAIs; Provides for the establishment of the Texas Institute of Health Care Quality and Efficiency to improve health care quality, accountability and cost containment by encouraging health care provider collaboration, effective health care delivery models and coordination of health care services. Article 5 addresses reporting of HAIs and includes provision for public reporting for potentially preventable complications and potentially preventable readmissions for hospitals. It also requires TDSHS to study adverse health conditions and potentially

		preventable conditions occurring in long-term care facilities and develop recommendations for reporting.
SB 620 (Nelson)	Filed 2/11/11; Received from Senate 4/14/11; Referred to Public Health 4/28/11	Relating to the reporting of health care-associated infections and preventable adverse events (allows for use of NHSN).
SB 671 (Gallegos)	Filed 2/14/11; Referred to State Affairs 2/23/11	Relating to the creation of a state occupational health and safety plan (Texas OSHA).
HB 1657 (Davis)	Filed 2/22/11; Left pending in committee 3/24/11	Relating to reporting of deaths associated with reportable HAIs.
HB 3229 (Hernandez)	Filed 3/10/11; Left pending in committee 4/4/11	Relating to the right of an employee who is a victim of a crime to time off from work to attend court proceedings related to that crime. NOTE: Companion Bill SB 64
SB 969 (Nelson)	Filed 2/25/11; Received from Senate 4/7/11; Referred to Public Health 5/2/11	Relating to the establishment of the Public Health Funding and Policy Committee within the Department of State Health Services
SB 1107 (Davis)	Filed 3/3/11; Received from Senate and Referred to Public Health 5/2/11	Relating to the vaccination against bacterial meningitis of first-time students at public and private or independent institutions of higher education. NOTE: Companion Bill HB 1816
SB 1177 (Nelson)	Filed 3/4/11; Received from Senate 4/26/11; Referred to Public Health 4/29/11	Relating to health care facilities' adoption of a policy on vaccine preventable diseases; imposing penalties.
HB 3336 (Coleman)	Filed 3/11/11; Received from House 4/26/11; Referred to Health & Human Services 4/29/11	Relating to information regarding pertussis for parents of newborn children.
HB 3493 (Coleman)	Filed 3/11/11; Referred to Public Health 3/22/11	Relating to the creation of the employee wellness program.

<p>HB 3744 (Gonzales, Schwertner, Coleman)</p>	<p>Filed 3/11/11; Referred to Public Health 3/23/11; Considered in public hearing and left pending in committee 4/6/11; Amendments considered in committee and reported favorably as substituted 4/26/11; Committee report sent to Calendars 5/3/11</p>	<p>Relating to the reimbursements for certain services provided to Medicaid recipients and reimbursement adjustments relating to those services.</p> <p>Includes the following language: "Potentially preventable complication" means a harmful event or negative outcome with respect to a person, including an infection or surgical complication..."</p>
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\* Go to [www.capitol.state.tx.us/](http://www.capitol.state.tx.us/) to view content of bills filed

^ Scheduled for Public Hearing

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2011 APIC-DFW Committee:

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Stephanie Kreiling; Chris Sohn