

By: Perry

S.B. No. 265

A BILL TO BE ENTITLED

AN ACT

relating to required reports of certain vaccine-related or drug-related injuries and adverse events.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 161, Health and Safety Code, is amended by adding Section 161.0103 to read as follows:

Sec. 161.0103. REQUIRED REPORT OF CERTAIN VACCINE-RELATED INJURIES AND ADVERSE EVENTS. (a) This section applies only to a vaccine that is:

(1) experimental or investigational; or

(2) approved or authorized for emergency use by the United States Food and Drug Administration.

(b) Notwithstanding any other law, for a vaccine to which this section applies a physician shall report to the federal Vaccine Adverse Event Reporting System:

(1) each potential vaccine-related injury of a patient the physician treats; and

(2) any adverse event following the patient's vaccination.

(c) A physician who violates this section is subject to disciplinary action by the Texas Medical Board as if the physician violated Subtitle B, Title 3, Occupations Code.

(d) The executive commissioner shall adopt rules necessary to implement this section.

1 SECTION 2. Subchapter E, Chapter 431, Health and Safety  
2 Code, is amended by adding Section 431.1145 to read as follows:

3 Sec. 431.1145. REQUIRED REPORT OF CERTAIN DRUG-RELATED  
4 INJURIES AND ADVERSE EVENTS. (a) This section applies only to a  
5 drug that is:

6 (1) experimental or investigational; or

7 (2) approved or authorized for emergency use by the  
8 United States Food and Drug Administration.

9 (b) Notwithstanding any other law, for a drug to which this  
10 section applies a physician shall report to the United States Food  
11 and Drug Administration through the MedWatch Reporting System:

12 (1) each potential drug-related injury of a patient  
13 the physician treats; and

14 (2) any adverse event following the administration or  
15 use of the drug.

16 (c) A physician who violates this section is subject to  
17 disciplinary action by the Texas Medical Board as if the physician  
18 violated Subtitle B, Title 3, Occupations Code.

19 (d) The executive commissioner shall adopt rules necessary  
20 to implement this section.

21 SECTION 3. As soon as practicable after the effective date  
22 of this Act, the executive commissioner of the Health and Human  
23 Services Commission shall adopt rules necessary to implement the  
24 changes in law made by this Act.

25 SECTION 4. This Act takes effect September 1, 2023.