

1-1 By: Hancock S.B. No. 1467  
 1-2 (In the Senate - Filed March 2, 2023; March 16, 2023, read  
 1-3 first time and referred to Committee on Health & Human Services;  
 1-4 April 18, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 18, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1467 By: Hughes

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

1-21 relating to the disclosure of certain medical information by  
 1-22 electronic means.

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

1-24 SECTION 1. Subtitle I, Title 2, Health and Safety Code, is  
 1-25 amended by adding Chapter 183 to read as follows:

1-26 CHAPTER 183. DISCLOSURE OF CERTAIN MEDICAL INFORMATION BY  
 1-27 ELECTRONIC MEANS

1-28 Sec. 183.001. DEFINITIONS. In this chapter:

1-29 (1) "Electronic health record" has the meaning  
 1-30 assigned by Section 531.901, Government Code.

1-31 (2) "Electronic means" means publishing information  
 1-32 on a secure electronic network or Internet website, including a  
 1-33 secure online patient portal or health software application:

1-34 (A) that is accessible by an electronic device,  
 1-35 including a computer, mobile device, or tablet; and

1-36 (B) at which the patient or patient  
 1-37 representative has consented to receive the patient's billing or  
 1-38 medical records.

1-39 (3) "Patient" has the meaning assigned by Section  
 1-40 159.001, Occupations Code.

1-41 (4) "Patient representative" means a person described  
 1-42 by Sections 159.005(a)(2)-(4), Occupations Code.

1-43 (5) "Sensitive test result" means a:

1-44 (A) pathology report or radiology report that has  
 1-45 a reasonable likelihood of showing a finding of malignancy; or

1-46 (B) test result that may reveal a genetic marker.

1-47 Sec. 183.002. SENSITIVE TEST RESULTS DISCLOSED BY  
 1-48 ELECTRONIC MEANS. (a) A person may not disclose sensitive test  
 1-49 results by electronic means to a patient or patient representative  
 1-50 before the third day after the date the test results are finalized.

1-51 (b) A person who administers or controls the electronic  
 1-52 health record of a patient shall ensure compliance with the  
 1-53 prohibition imposed by Subsection (a).

1-54 (c) A person is not subject to civil, criminal, or  
 1-55 administrative liability or professional disciplinary action for  
 1-56 failure to comply with Section 159.006(d)(2), Occupations Code, or  
 1-57 this section.

1-58 SECTION 2. Section 159.006(d), Occupations Code, is amended  
 1-59 to read as follows:

1-60 (d) A physician shall provide the information requested

2-1 under this section:

2-2 (1) not later than the 15th business day after the date  
2-3 of receipt of the written consent for release under Subsection (a)  
2-4 or the written request under Subsection (c); and

2-5 (2) in accordance with Section 183.002, Health and  
2-6 Safety Code, if applicable.

2-7 SECTION 3. Chapter 183, Health and Safety Code, as added by  
2-8 this Act, applies only to the disclosure of test results on or after  
2-9 the effective date of this Act.

2-10 SECTION 4. Section 159.006, Occupations Code, as amended by  
2-11 this Act, applies to a request for information under that section  
2-12 made on or after the effective date of this Act. A request made  
2-13 before the effective date of this Act is governed by the law in  
2-14 effect on the date the request was made, and the former law is  
2-15 continued in effect for that purpose.

2-16 SECTION 5. This Act takes effect September 1, 2023.

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