

BILL ANALYSIS

C.S.H.B. 1860
By: Bohac
Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Chapter 607, Government Code, provides for reimbursement of medical expenses incurred by public safety employees for preventative care from line-of-duty exposure to certain contagious diseases. It also provides for preventative immunization or vaccination of fire fighters and other governmental employees who respond to emergency medical calls or who operate an ambulance for any disease these employees may come into contact with while performing their official duties. This bill would do the following: It amends Chapter 607, Government Code, to add preventative medical treatment or reimbursement for reasonable medical expenses incurred in treatment for prevention of disease from the employer to the public safety employee for line-of-duty exposures to hazardous material for which there is a preventative medical treatment, immunization, or vaccination available.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Section 1. Amends the chapter heading to add coverage for hazardous materials.

Section 2. Amends § 607.002, which provides for reimbursement of reasonable medical expenses required for a public safety employee from exposure to a contagious disease that occurs during the course of employment, to provide for reimbursement of reasonable medical expenses incurred in receiving preventative medical treatment required for a public safety employee from exposure to a hazardous material that occurs during the course of employment. It also defines the term hazardous material as a substance or material designated as of May 1, 2003, as a hazardous material by the United States Secretary of Transportation under U.S.C. Section 5103a..

Section 3. Amends § 607.003, which provides that the public safety employee is entitled to be treated for the prevention of disease from exposure to a contagious disease by a physician of the employee's choice, to provide that the public safety employee is entitled to receive preventative medical treatment because of exposure to a contagious disease or hazardous material by a physician of the employee's choice.

Section 4. Amends § 607.004, which requires preventative immunization for any disease to which a fire fighter or governmental employee may be exposed in performing official duties for which immunization is possible, by requiring preventative medical treatment or immunization of fire fighters, other governmental employees, or their immediate families for hazardous materials to which the employee may be exposed in performing official duties for which preventative medical treatment or immunization is possible.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The Committee Substitute changes the definition of a hazardous material to “a substance or material designated as of May 1, 2003, as a hazardous material by the United States Secretary of Transportation under U.S.C. Section 5103a.” This was changed to address concerns that the original definition was too vague and make it clear that this bill would not apply to common, everyday materials that public safety employees could be exposed to on the job.