

BILL ANALYSIS

C.S.H.B. 3011
By: Capelo
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, a medical peer review committee or medical committee appointed by the governing body of a hospital district may not evaluate the quality and appropriateness of medical and health care services provided by a facility that contracts with the district to provide those services. However, the governing body has a duty to ensure that the district's public funds applied to such contracts result in the facility's provision of quality and appropriate services. The Nueces County Hospital District has encountered instances where the contracted facility's monitoring system has not identified publically-funded cases in which the quality and appropriateness of services rendered warrant review by the facility's medical peer review or medical review committees.

This bill authorizes a medical peer review committee or a medical committee formed by the governing body of a hospital district described above the right to: (1) compile a report, information, or record of the medical and health care services provided by a health care facility described above; (2) submit the compilation to the facility's medical peer review committee or medical committee; and (3) have the compilation be confidential, not subject to disclosure, and subject to the same confidentiality and disclosure requirements to which a report, information, or record of a medical peer review committee is subject. It does not grant either district-formed committee the right to evaluate the quality and appropriateness of medical and health care services provided by a facility that contracts with the district to provide those services.

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

This bill amends the Health and Safety Code, §161.0315 by adding subsection (f) to grant a medical peer review committee or medical committee formed by the governing body of a hospital district who contracts with a facility to provide services the right to compile a report, information, or a record of the medical and health care services provided by the facility, and have the record, information, or report remain confidential, not subject to disclosure under Chapter 552, Government Code, and be subject to the same confidentiality and disclosure requirements to which a report, information, or record of a medical peer review committee under Section 160.006, Occupations Code, is subject.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3011 varies from the original in that section 161.0315(f)(3) is amended by replacing section 5.06 Medical Practice Act (Article 4495b, Vernon's Texas Civil Statutes) with section 160.006, of the Occupations Code.