

BILL ANALYSIS

S.B. 330
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, under the provisions of S.B. 11 passed in the 77th Legislature, state law is more restrictive than federal law regarding the conduct of medical research in Texas. S.B. 11 contained verbatim the provisions of the Federal Health Insurance Portability and Accountability Act (HIPAA) regulation at the time of its passage. The Bush Administration altered HIPAA regulation on March 27, 2002 and consequently state law became more restrictive than the federal law. As proposed, S.B. 330 would repeal two provisions of state law in order to bring Texas back into concert with federal law.

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. Repeals section 181.101 Health and Safety Code (Compliance with Federal Regulations).

Repeals Section 181.102 Health and Safety Code (Information with Research) .

EFFECTIVE DATE

September 1, 2003.