

By: Bohac

H.B. No. 1860

Substitute the following for H.B. No. 1860:

By: Solomons

C.S.H.B. No. 1860

A BILL TO BE ENTITLED

AN ACT

relating to certain diseases, illnesses, and exposures suffered by certain public safety employees.

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

SECTION 1. The heading of Chapter 607, Government Code, is amended to read as follows:

CHAPTER 607. BENEFITS RELATING TO CERTAIN CONTAGIOUS DISEASES AND HAZARDOUS MATERIALS

SECTION 2. Section 607.002, Government Code, is amended to read as follows:

Sec. 607.002. REIMBURSEMENT. A public safety employee who is exposed to a contagious disease or a hazardous material is entitled to reimbursement from the employing governmental entity for reasonable medical expenses incurred in receiving preventative medical treatment because of exposure to [~~for the prevention of~~] the disease or the hazardous material if:

(1) the disease is not an "ordinary disease of life" as that term is used in the context of a workers' compensation claim or the hazardous material is a substance or material designated as of May 1, 2003, as a hazardous material by the United States Secretary of Transportation under 49 U.S.C. Section 5103a;

(2) the exposure to the disease or the hazardous material occurs during the course of the employment; and

(3) the employee requires preventative medical

1 treatment because of exposure to the disease or the hazardous  
2 material.

3 SECTION 3. Section 607.003, Government Code, is amended to  
4 read as follows:

5 Sec. 607.003. PHYSICIAN OF CHOICE. A public safety  
6 employee who is exposed to a disease or a hazardous material  
7 described by Section 607.002 is entitled to receive preventative  
8 medical treatment because of exposure to the [~~be treated for the~~  
9 ~~prevention of that~~] disease or the hazardous material by the  
10 physician of the employee's choice.

11 SECTION 4. Section 607.004, Government Code, is amended to  
12 read as follows:

13 Sec. 607.004. PREVENTATIVE MEDICAL TREATMENT, IMMUNIZATIONS,  
14 AND VACCINATIONS. (a) A certified fire fighter or other  
15 governmental employee who operates an ambulance or who responds to  
16 emergency medical calls is entitled to preventative medical  
17 treatment or immunization for any disease or any hazardous material  
18 to which the fire fighter or other governmental employee may be  
19 exposed in performing official duties and for which preventative  
20 medical treatment or immunization is possible.

21 (b) The employee and any member of the employee's immediate  
22 family are entitled to vaccination for a contagious disease to  
23 which the employee is exposed during the course of employment. The  
24 employee and any member of the employee's immediate family are  
25 entitled to preventative medical treatment for any hazardous  
26 material to which the employee is exposed during the course of  
27 employment.

1           (c) The employing governmental entity may satisfy the  
2 requirements of this section by:

3                   (1) providing the preventative medical treatment,  
4 immunization, or vaccination without charge; or

5                   (2) reimbursing the employee for any necessary and  
6 reasonable expenses incurred by the employee and any member of the  
7 employee's immediate family for the preventative medical  
8 treatment, immunization, or vaccination.

9           SECTION 5. This Act takes effect September 1, 2003.