

By: Uresti

H.B. No. 2536

A BILL TO BE ENTITLED

AN ACT

relating to admission of certain nonresident patients to state chest hospitals.

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

SECTION 1. Sections 13.036(a) and (c), Health and Safety Code, are amended to read as follows:

(a) A resident of this state who has tuberculosis may be admitted to a state chest hospital. A person who is not a resident of this state and who has tuberculosis may be admitted to a state chest hospital in accordance with Section 13.046.

(c) An application for admission to a state chest hospital shall be accompanied by a certificate issued by a physician stating that the physician has thoroughly examined the applicant and that the applicant has tuberculosis. In the case of an applicant who is not a resident of this state, the certificate may be issued by a physician who holds a license to practice medicine in the state of residence of the applicant.

SECTION 2. Section 13.038, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) A patient admitted to a state chest hospital is a public patient and classified as indigent, ~~or~~ nonindigent, or nonresident.

(f) A nonresident public patient is a person who is admitted

1 in accordance with an interstate agreement under Section 13.046.

2 SECTION 3. Subchapter B, Chapter 13, Health and Safety
3 Code, is amended by adding Section 13.046 to read as follows:

4 Sec. 13.046. ADMISSION OF NONRESIDENT PATIENTS. (a) The
5 department may enter into an agreement with an agency of another
6 state responsible for the care of residents of that state who have
7 tuberculosis under which:

8 (1) residents of the other state who have tuberculosis
9 may be admitted to a state chest hospital, subject to the
10 availability of appropriate space after the needs of eligible
11 tuberculosis and chronic respiratory disease patients who are
12 residents of this state have been met; and

13 (2) the other state is responsible for paying all
14 costs of the hospitalization and treatment of patients admitted
15 under the agreement.

16 (b) Section 13.041 does not apply to the return of a
17 nonresident patient admitted to a state chest hospital in
18 accordance with an agreement entered into under this section. The
19 return of that patient to the state of residence is governed by the
20 agreement.

21 SECTION 4. Subchapter G, Chapter 81, Health and Safety
22 Code, is amended by adding Section 81.211 to read as follows:

23 Sec. 81.211. FILING AND STATUS OF FOREIGN COURT ORDERS.

24 (a) In the case of a person who is not a resident of this state and
25 who may be admitted to a state chest hospital in accordance with
26 Section 13.046, the attorney general, at the request of the
27 department, shall file a copy of an order issued by a court of

1 another state that authorizes the commitment of the person to a
2 health care facility for inpatient care in the manner provided by
3 Chapter 35, Civil Practice and Remedies Code, for enforcement of
4 foreign judgments.

5 (b) The application must be filed with the district court in
6 the county in which the state chest hospital to which the person
7 will be admitted is located.

8 (c) A filed foreign court order that authorizes the
9 commitment of a person to a healthcare facility for inpatient care
10 may be enforced in the same manner as a court order of the court in
11 which it is filed.

12 (d) A foreign court order that authorizes the commitment of
13 a person to a health care facility for inpatient care is subject to
14 the contractual agreement with the foreign state entered into under
15 Section 13.046.

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