

AN ACT

relating to testing certain public safety personnel for accidental exposure to hepatitis B or hepatitis C.

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

SECTION 1. Subsection (b), Section 81.095, Health and Safety Code, is amended to read as follows:

(b) This subsection applies only in a case of accidental exposure of certified emergency medical services personnel, a firefighter, a peace officer, or a first responder who renders assistance at the scene of an emergency or during transport to the hospital to blood or other body fluids of a patient who is transported to a licensed hospital. The hospital receiving the patient, following a report of the exposure incident, shall take reasonable steps to test the patient for hepatitis B or hepatitis C if the report shows there is significant risk to the person exposed. The ~~[person exposed, or the]~~ organization that employs the person or for which the person works as a volunteer in connection with rendering the assistance~~[7]~~ is responsible for paying the costs of the test. The hospital shall provide the test results to the department or to the local health authority, which are responsible for following the procedures prescribed by Section 81.050(h) to inform the person exposed and, if applicable, the patient regarding the test results. The hospital shall follow applicable reporting requirements prescribed by Subchapter C. This subsection does not

1 impose a duty on a hospital to provide any further testing,
2 treatment, or services or to perform further procedures.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 401 passed the Senate on
April 16, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 401 passed the House on
May 25, 2003, by the following vote: Yeas 117, Nays 0, two
present not voting.

Chief Clerk of the House

Approved:

Date

Governor