

## **BILL ANALYSIS**

C.S.H.B. 702  
By: Zedler  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

With every medical procedure, especially those involving surgery, a doctor is required to tell the patient what complications can arise before the patient submits to a procedure (advised consent).

Currently complications resulting from surgical procedures performed in a hospital are reported to the appropriate Hospital Review Board. This data helps doctors and facilities to accurately determine best practices and to provide advised consent.

Most pregnancy termination procedures are not performed in hospitals. However, when a complication arises, women are likely to seek treatment in the hospital. Currently, there is no reporting mechanism or standard to associate the complication with the procedure.

HB 702 seeks to provide a standard by which these complications can be reported. The purpose of the bill is to ensure that the standard of care for pregnancy termination is the same as all other surgical procedures.

### **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**

Amends Chapter 170, Health and Safety Code by adding a new section which would require reporting for complications as a result of pregnancy termination. The report shall be submitted not later than the 30th day after the initial examination that determined a complication.

Provides that the information obtained is confidential and would not be subject to disclosure under Chapter 552 of the Government Code, and specifies the conditions under which any of the information could be provided. Failure to report complications results in a sanction by the Texas Board of Medical Examiners.

This act only applies to those procedures performed on or after January 1, 2006.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSHB 702 Amends terminology for medical consistency, changing "abortion" to "pregnancy termination." Reduces the specificity of information required in the physician's report. Allows the report to be submitted by phone. Changes the penalty for non-compliance to a sanction by the Texas Board of Medical Examiners in order to make the penalty consistent with reporting requirement penalties already in statute.