

BILL ANALYSIS

C.S.H.B. 1460
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Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, autopsy reports must be released upon request in a workers' compensation case or insurance claim involving the cause of death of a person. However, there is no requirement for how quickly the report must be released. There have been cases when it has taken several months for a county to release the autopsy report with no notification of why the report was not released in a timely manner and no notification of when the autopsy report would be released. The committee substitute for House Bill No. 1460 would require a completed autopsy report to be released within 15 days of receiving a request. If an autopsy report is not yet available, then the representative of the office designated by the autopsy report must inform the requestor within 10 days of the request of the unavailability of the report and when the requestor may expect the report.

RULEMAKING AUTHORITY

It is the opinion of the Committee on Business and Industry that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION-BY-SECTION ANALYSIS

SECTION 1: The committee substitute would require an autopsy report to be released within 15 days of receiving a request. If an autopsy report is not yet available, then the representative of the office designated by the autopsy report must inform the requestor within 10 days of the request of the unavailability of the report and when the requestor may expect the report.

SECTION 2: Effective date is September 1, 2005.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF SUBSTITUTE TO ORIGINAL

In SECTION 1, the substitute changes the party required to notify a requestor that an autopsy report is not available. The original bill designated that it be a representative of the county's commissioners court, while the substitute changes that to a representative of whatever county office has been designated by the autopsy report.