

BILL ANALYSIS

C.S.H.B. 2476
By: Delisi
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Medical Disclosure Panel is composed of nine volunteer members from different parts of the state, and includes six physicians and three attorneys. Charged with the responsibility of establishing standards for obtaining informed consent from patients for medical and surgical procedures and treatments, the Panel holds periodic meetings in Austin, TX assisted by the Department of State Health Services. Attendance at these meetings requires most members to take a full day away from their practices, with reimbursement only for travel costs. It has become increasingly difficult to schedule meetings as often as needed, so this bill would allow Panel members to attend meetings telephonically or by other electronic means to eliminate travel time and state expenses.

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

The substitute allows the Medical Disclosure Panel to meet by telephone conference call, video conference call, or other electronic communications means. If any member of the committee is physically present at the meeting, any number of other members may use electronic means for constituting a quorum, voting, and any other purpose. These meetings are still subject to notice requirements, which must include the location of the meeting where the member will be physically present and the public may attend. Two-way audio communication must be maintained through the entire meeting. The change in this act applies only to meetings on or after the effective date of this act.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by allowing meetings to be held if any member of the committee is physically present, not just the chair or vice-chair. It also clarifies and simplifies how these meetings will be conducted.