

## **BILL ANALYSIS**

Senate Research Center  
79R2718 KCR-D

S.B. 396  
By: Seliger  
Criminal Justice  
3/23/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The 78th Legislature, Regular Session, 2003, passed S.B. 519, which changed the permissive language in the Health and Safety Code to mandatory language in order to facilitate the sharing of health information among agencies. Prior to the passage of S.B. 519, Texas allowed criminal justice and health and human services agencies to share information between agencies for the purposes of efficiency and continuity of care. Pursuant to federal law under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Texas was required to implement the measures of S.B. 519 to avoid requiring every agency to conduct its own evaluation, diagnosis, assessment, and treatment, which would have increased local and state government budgets.

H.B. 2292 passed during the 78th Legislature, Regular Session, 2003, consolidating the state's health and human service agencies. Once this consolidation occurred, the new agency titles were not recognized in S.B. 519 under the final enrolled bill.

As proposed, S.B. 396 revises Section 614.017(c)(1), Health and Safety Code, as created by S.B. 519, 78th Legislature, Regular Session, 2003. These revisions recognize the changes in the health and human services agency titles made by H.B. 2292, 78th Legislature, Regular Session, 2003.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 614.017(c)(1), Health and Safety Code, to redefine "agency."

SECTION 2. Effective date: upon passage or September 1, 2005.