

BILL ANALYSIS

S.B. 1469
By: Whitmire
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 78th Legislature amended the Code of Criminal Procedure to require health care institutions to report to the Office of the Attorney General those deaths that are also required to be reported to a justice of the peace. The intent was to require nursing homes, extended care facilities, and retirement homes to report the deaths of residents required to be reported to a justice of the peace in order to monitor the use of Medicaid funds following a resident's death. However, hospitals were included in this provision, which created a duplicative requirement since hospitals are already required by law to report those deaths. Senate Bill 1469 clarifies that hospitals are excluded from this requirement to report deaths to the Office of the Attorney General.

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

Senate Bill 1469 amends the Code of Criminal Procedure to clarify that hospitals are not required to report the death of individuals to the Office of the Attorney General, under Art. 49.24.

EFFECTIVE DATE

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